the SHADOW

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THE CIA COMES HOME TO ROOST

CAROLYN MALONEY BILL GIVES CIA DOMESTIC POWER

By Frank Morales

CIA ON AVENUE A?

The NYC based Campaign to Demilitarize the Police, which is seeking to demilitarize police response to protest with the coming of the Republican National Convention this August, has recently uncovered a scary piece of legislation which seeks to subvert the strict legal prohibition against CIA domestic operations. Put forth in the House by Representative Carolyn Maloney (D-NY), The Joint Terrorism Task Force Enhancement Act of 2003, or HR 3439, would enact a dramatic revision to the 1949 CIA Act, permitting the deployment of CIA agents to local police precincts nationwide. That's right. The bill would sanction the stationing of CIA agents at the NYPD, all in the name of "internal security", excuse me, "homeland security."

Needless to say, this is the same CIA killer elite reportedly wired to Middle Eastern torture schools. As if that's not bad enough, recent disclosures of early CIA/ Nazi collaboration, set forth in a May 5, 2004 UPI report entitled "Files Show Nazi Criminals U.S. Intel Role," should give pause to any notion of putting the CIA on the streets of America. Apparently, Congresswoman Maloney doesn't think so, despite her disingenuous statements to the contrary. Upon the release of 8 million pages of formerly "classified" documents which provide "new evidence of U.S. intelligence agencies' close involvement with Nazi war criminals" Maloney stated that in making this history public "we were willing to look at the worst and hold up the truth." The truth? Her legislation, HR 3439 doesn't appear on her website.

According to the Maloney bill, "upon request of the head of State or local law enforcement agency, the Director of the Central Intelligence Agency may detail any employee within the CIA to that State or local law enforcement agency on a nonreimbursable basis..." Besides amending federal law to permit CIA agents to be "detailed" to any "local law enforcement agency", HR 3439 would also permit any state employee and/ or any cop to be detailed (deputized) to the CIA, with additional pay, upon the orders of the Governor or the head of the Police Department, subject, of course, to the approval of the CIA Director.

The bill has been hanging around for a few years, but was re-introduced this past Nov. 4. It was immediately referred to the House committees on intelligence and the judiciary. Representative Maloney represents key portions of NYC and currently serves on various committees related to finance and government reform, as well as the Democratic Task Force on Homeland Security. Rep. Martin Frost, the only co-sponsor of the bill, represents a district in Dallas-Forth Worth, and is the ranking Dem on the House Rules Committee. Previously serving on the House Select Committee on Homeland Security, he's also cozy with major defense contractors like Northrop Grumman and Lockheed Martin.

"Provided, That the Agency shall have no police, subpoena, law-enforcement powers, or internal-security functions."
-- National Security Act, 1947, S.785-5

"There is something about the way the CIA has been functioning that is casting a shadow over our historic position and I feel that we need to correct it."
-- Former President Harry Truman, 1963

"PHONEY" MALONEY AND HER "CIA MAN" DAVID COHEN

Michael Shenker of the Campaign to Demilitarize the Police, which has mounted a series of protests in opposition to the bill, stated that "given the norms of CIA covert operations, their violation of international law, training of death squads, the overthrowing of democratically-elected governments, the drug running, torture, support for despotic and fascist regimes, the planting and fabrication of evidence to deceive and mislead...given these norms of CIA covert operations, why should we as citizens and residents of the US believe that the CIA could or would operate within the mandated boundaries of our civilian police forces where protecting civil rights is as important as fighting crime. To the contrary, it is more likely that the local police forces would be manipulated and corrupted by the presence of the CIA."

As the SHADOW goes to press, a Campaign alert posted on their website (http://demilitarizethepolice.netfirms.com) states that the activists have secured a promise from Maloney's Deputy Chief of Staff, Philip Craft, to re-submit a revised version of HR 3439, in the form of a new bill, which "will not include the CIA detail" to local police. Craft, at a recent meeting with members of the Campaign (2/6/04), assured those present that while HR 3439 has not been withdrawn, it would die on the vine lacking its original sponsor. The Campaign is not so sure. It remains posted on the Congressional bill website.

Nevertheless, Craft shared a draft version of this "revision" entitled the "Strengthening Joint Terrorism Task Forces Act of 2004". While the new proposal, which has yet to be submitted, strikes sections dealing with amending the CIA Act and direct stationing of agents inside local police, it accomplishes the same goal by sanctioning CIA domestic operations anyway, only this time it's at the behest of the FBI.

According to Section 5 of the draft legislation, the Director of the Central Intelligence "may detail any employee of Central Intelligence Agency to participate in a joint terrorism task force program...", JTTFs, as they are known, being a nexus of federal, state and local law enforcement headed up by the FBI. And while the proposed bill disclaims any CIA "domestic intelligence gathering" its "participation" in these federal "task forces" almost guarentees CIA domestic spying. This is especially likely given the recent behavior of the JTTFs, which seem to be more about stifling dissent than thwarting terrorists.

Take for example an Iowa based JTTFs' targeting of last November 15ths anti-war rally at Drake University in Iowa. This past February, the Des Moines Register reported that "three Des Moines peace activists have been subpoenaed to appear before a federal grand jury next week as part of an investigation that the activists believe is being conducted by the FBI's Joint Terrorism Task Force." In fact, the FBI task force wasn't only going after the activist students, but their college as well. According to an follow-up AP report (2/7/04), "in what may be may be the first of its kind in decades, a federal judge has ordered a university (Drake) to turn over records about a gathering of anti-war activists." Meanwhile, to make matters worse, a federal judge issued a gag order which, according to the Register (2/7/04), "prohibits Drake University employees from talking about the subpoena calling for all university records" regarding the anti-war meeting. Now, the case was eventually thrown out, but suffice to say, the FBI and it's CIA JTTF partners in crime, are all about suppressing dissent.

Given the credo of FBI Director Mueller, who believes that "there is a continuum between those who would express dissent and those who would do a terrorist act" (San Jose Mercury News, 10/19/02), this is not at all surprising. Unfortunately, the new Maloney bill, which seeks to codify federal, (politicized) FBI control of local and state law enforcement through "strengthened" "joint terrorism task forces." appears to sanction this kind of behavior. Adding the CIA into the mix is gotta be the last straw. The Campaign, for its part, is demanding public hearings on the new legislation. Maloneys' office has yet to respond. Regarding their efforts thus far, a Campaign member said that, "getting them to refrain from amending the CIA Act is great, but the new bill looks like a case of smoke and mirrors...the CIA is still there, along with FBI spying on protesters." On their chances of stopping the new legislation, another Campaign spokeperson stated that "we're hopeful, but wary. We've got to keep up the pressure."

CIA MAN

And while the Campaign remains guardedly optimistic, the CIA can't be very happy, least of all the agents already operating here in NYC. In January of 2002, Mayor Bloomberg announced the appointment of David Cohen, "a former spy master" (NYT 1/25/02) to head up the newly-created post

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EDITORIALS

POWER PLAY IN THE ANTI-WAR MOVEMENT

By Bill Weinberg

Many activists in the New York area were confused as to who exactly was behind the March 20 demonstration marking the first year since the bombs started falling on Iraq. Initially, word went out that United for Peace & Justice (UFPJ), the broad-based coalition behind last year's historic February 15 mobilization, had issued the call for March 20. Then International ANSWER--a group with which UFPJ has had a frequently contentious history--began issuing a call for a demonstration the same day. An entity called the March 20 National Coalition began distributing leaflets for the march with all ANSWER's contact info--and only their contact info. The list of endorsers led with ANSWER, and UFPJ was nowhere in sight.

Many activists are bored by the endless internecine rivalries of the movement leadership, but there are real issues behind the intrigues. International ANSWER (for Act Now to Stop War and End Racism) is formed around the core of the Ramsey Clark-led International Action Center (IAC), a front group for the sectarian Workers World Party (WWP). Workers World is so orthodox that it supported the 1956 Soviet invasion of Hungary, the 1989 Tiananmen Square massacre and--more recently--former Serbian strongman Slobodan Milosevic in his battle against war crimes charges at The Hague. In the movement to oppose the first attack on Iraq in 1991, WWP provoked a split by refusing to condemn Saddam's invasion of Kuwait. This resulted in two separate national marches on Washington, just days apart, in January of that year.

The specter of two separate marches on March 20 was averted--but the contradiction in the movement persists between UFPJ and ANSWER, which positions itself further to the left but is perceived by many to be the tool of a doctrinaire sect which has apologized for mass murder.

Complicating the situation is ANSWER's effective use of the issue of Palestine as a tool against UFPJ. When ANSWER got on board the March 20 organizing, they expanded the list of demands to include an end to Israel's occupation. ANSWER adherents issued an "Open Letter to the Anti-War Movement" in the name of the "Arab and Muslim community" accusing the anti-war leadership (UFPJ, by implication) of "racism" for failing to address Palestine.

This is a potent strategy precisely because UFPJ really has played down the issue of Palestine in a probable effort to appease Jewish liberal supporters. But we fear that ANSWER's Arab and Muslim supporters are being used as cannon fodder by the Workers World commisars. For instance, how many of them are aware of WWP/IAC's enthusiastic pom-pom-waving for Milosevic--who is probably responsible for even more Muslim deaths than Ariel Sharon?

During ANSWER's part of the split stage show on March 20, one of their supporters taped to the speaker's platform a poster of Abdul Qadeer Khan, the father of the Pakistani nuclear weapons program who is accused of peddling nuclear materials to North Korea and Libya. For those at the demonstration who have marched against nuclear weapons in the past, this display was both demoralizing and insulting.

With US atrocities in Iraq rapidly escalating, a militant anti-war movement is needed more than ever. But the persistent divisions need to be addressed openly and honestly--not swept under the carpet in the name of a bogus "unity."

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AMERICAN WARMONGERS MASS PRODUCE ENEMIES FOR AMERICA

George W. Bush and the Hoax of Pre-Emptive Warfare

By A. Kronstadt

The September 11 terrorist attacks on New York City served to numb the minds of most of the American populace long enough for the George W. Bush, Dick Cheney and the rest of their cowboy cabal to carry out a series of plans that they had been hatching, for the past decade, aimed at establishing a U.S. economic/military beachhead in Iraq. With or without direct complicity on the part of anyone in the U.S. government, the attacks attributed to Osama bin Laden's Al-Qaeda organization provided a convenient pretext for a range of military commitments and expenditures that Republican think tanks like the Heritage Foundation had been advocating since the days of the Cold War. Historically, it can be proven that the military industrial complex invents new enemies to fit in with its own agenda, determined first and foremost by economic interests, but also by a certain irrationality on the part of the individuals in charge. The policies of one generation of American statesmen have continually led to the rise of new enemies that the next generation would have to face on some battlefield.

In the thick of the post-September 11 fog, Bush pledged the United States to a doctrine of pre-emptive warfare, in which governments that the U.S. deems to be a danger would be subjected to regime change by military means. No longer would the U.S. practice merely defensive warfare or react to events happening elsewhere in the world, but regimes that in the infinite wisdom of the government pose a threat to us, or to other countries that we are committed to defending, would be attacked before they could attack us.

The pundits of pre-emptive warfare say that it was a mistake for us, the good guys, not to have attacked our World War II enemies before they attacked us. The problem with the logic of this assertion lies in the use of the word "mistake," because U.S. and European inaction in the face of Nazism was cold and deliberate. The U.S. Government and the business elite that dominated it, personified by automobile magnate Henry Ford, actively supported Hitler as a counterweight to Communism, and that is the reason why America did not do anything about the dictator's rise to power. Fearful of seeing Germany go Communist, U.S. and European business interests donated money to the Nazi cause just as they now donate to conservative politicians who promise to protect their interests. Georg Seldes, in his 1943 book *Facts and Fascism* quoted U.S. Ambassador to Germany, William E. Dodd to the effect that "certain American industrialists had a great deal to do with bringing fascist regimes into being in both Germany and Italy." Novelist Upton Sinclair wrote in his biography of Ford, *The Flivver King,* that the Detroit tycoon contributed $40,000 to the early Nazi movement for the printing of anti-Semitic pamphlets and slipped $300,000 to Hitler's political campaign, which was delivered to the future dictator by a grandson of Germany's ex-Kaiser. In 1930, Henry Ford's son Edsel was listed on the board of directors of the U.S. branch of I.G. Farben, the German chemical giant which contributed vast amounts of money to the Nazi campaigns and that benefitted from Hitler's aggression in the form of military contracts and slave labor for its factories. In 1938, Ford was decorated, during a visit by the German consul to his Detroit office, with the Grand Cross of the Supreme Order of the German Eagle.

Thinking, perhaps wishfully, that the Nazis were destined to attack the USSR and leave us alone, American trade officials did nothing to stem exports of strategic materials from the U.S. to Germany during Hitler's grand rearmament. Nor did they do anything about trade with Imperial Japan even while the Japanese were mowing people down by the millions in China; all of the scrap steel salvaged from the demolition of the Third Avenue elevated train line, in New York City, was sold to Japan in 1940 with full knowledge that Japan was rearming massively and that the metal would end up as ships, aircraft, and ordnance. After all, the Japanese were fighting against the real enemy, Mao and his godless Communists, so why should we not treat them as friends?

The rise of Islamic fundamentalism and of dictatorial regimes in the Arab world has been similarly nurtured by a succession of American administrations. Two out of the three members of Bush's "axis of evil," Iran and Iraq, have at one time or another been major recipients of U.S. military aid. The Saudi royal family, which rules the first modern Islamic fundamentalist state and which provided a hot-house for the Islamic extremists who are the enemy du jour, has been regarded as America's most trusted partner in that region. Indeed, the U.S. government still looks the other way as Saudi bankers fund Islamic fundamentalist front groups, because Saudi Arabia is indispensable, according to current U.S. foreign policy dogma, to Washington's geopolitical plans for the Middle East. Once again, this is a relationship that goes back to the Cold War; Saudi Arabia was a consistent bulwark of right-wing capitalism in a region that bordered upon the Soviet Union and where Marxist movements were active.

The United States has long observed the doctrine, sacred to Kennedy as well as to

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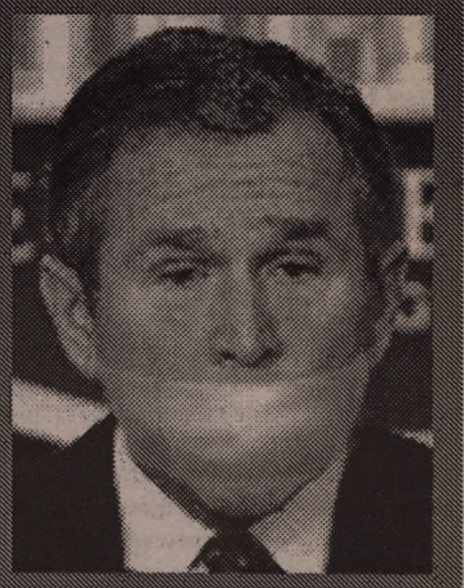

Suggested use of duct tape as a means for increasing the level of Homeland Security.

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The Nazification of America

By Issar

Is it any wonder that the same behind-the-scenes corporate and banking interests who put Hitler in power have come back in full force through their favorite son G. W. Bush to: 1) claim the tyrannical power to jail anyone in America permanently by their own declaration, 2) repudiate all international treaties and norms of international law, and 3) declare the intention to invade any country anytime and permanently dominate the world by military force?

Their *Mein Kamph* is on the internet (*new americancentury.org/ rebuilding america's defenses),* the final draft that spawned the *National Security Directive of 2002.* No one needs to guess what it's all about---fascist military domination of the entire planet. And not on behalf of the United States or any conceivable form of patriotic idealism---*but simply at the beck and call of the treasonous transnational cabal of the super-rich who rule from behind closed doors.*

Ever wonder who---what biological individuals and families now hold controlling interests in Lockheed, Northrup, Westinghouse, General Electric, all the major oil companies, Halliburton, Citibank, etc.? Bush's real constuituency, *one hundreth of one percent* of the American population---the vortex of power, will stop at nothing to control the world's oil supplies, its economies and governments. Lies, betrayals, mass murder, incitment of terrorism, the aiding and abetting of September 11, 2001---no crime is too great to deter the ravenous wolf from its prey---the people of every nation, the natural resources of our common earth.

A war for profit is treason. Now that an entire generation is being propagandized with the resurgent ideology of the German Nazi Party of the 1930s (Czechslovakian terrorist threat, etc)---and by the very same interests---*are the American people going to stand aside and allow their sons and daughters to be abducted by a mandatory and arbitrary military draft to fight these fraudulent oil wars?*

There's No War On Terror

Bush, Cheney and Rumsfeld *each need to be tried for high treason, since it is patently obvious that they all played vital roles in making 9/11 a reality.* For example:

1) Both Cheney and Rumsfeld belong to a group known as the *Project for a New American Century,* which stated in the year 2000: "barring a catastropic and galvanizing event, such as a 'new Pearl Harbor,' this agenda will take years, if not decades, to realize."

T*he* group includes seven or eight Board of Director members from *Northrup/ Grumann* and the same number from *Lockheed,* two of the biggest 'Defense Department' contracting corporations that exist (organized theft groups). After Rumsfeld and Wolfowitz, their most prominent member is Vice President Richard (Dick) Cheney, who has spent the last three years setting up his cronies in the *Halliburton Corporation* with billions of dollars of single-bid sweetheart contracts in which 'privatization' of military activity has become the newest form of hyperactive corporate welfare fraud.

2) According to Richard Clarke, former anti-terrorism co-ordinator for both Clinton and Bush, when confronted in early 2001 with the gathering threat of Al Queda, Rumsfeld's top aide Paul Wolfowitz denied the threat, saying, "No. No. No. This little man (Bin Laden) is not a threat." Consequently, *no action was taken.* Remember, the 9/11 Commission has found that Bush, Rice, Cheney and Rumsfeld had many, many chances to stop 9/11. *It is precisely this lack of action on the part of the Bush Administration that allowed the 9/11 plot to move forward.*

3) Did Rumsfeld really believe there was no threat? It turns out both he and Bush were receiving reports such as "Bin Laden Determined to Strike in U.S." They knew---still, *no action was taken.* And no one can sum it all up the way Donny does: *"I had said at an 8:00 breakfast (September 11, 2001) that sometime in the next two, four, six, eight, ten, twelve months there would be an event in the world that would be sufficiently shocking that it would remind people how important it is to have a strong, healthy defense department..."* (quoted in The Rumsfeld Way, J. Krames). Fifteen minutes later, a huge jet smashed into the Pentagon, killing more than 180 of Rumsfeld's colleagues.

A neo-imperialist planning group (*Project for a New American Century)* takes power in the 2000 election, placing their top members in key positions in the new administration, including Vice President (Cheney), Secretary of Defense (Rumsfeld), Cheney's Chief of Staff Lewis Libby, and Rumsfeld aide Paul Wolfowitz. Their stated agenda is to project American military power throughout the world on a greatly enlarged scale, but they foresee the need for 'a new Pearl Harbor' if their agenda is to be realized anytime soon. Upon taking office, they ignore all recommended protective actions by anti-terrorism czar Richard Clarke and others---*even going so far as to change the standing orders on airline hijackings in June, 2001, to require a direct order by the U.S. Secretary of Defense before hijacked airplanes can be intercepted by fighter jets*---something that would have taken place automatically before the rules were changed. *In an hour and a half---newly empowered to do so---Rumsfeld fails to give such orders.*

There's no 'War on Terror'--Al Queda was an artificial creation cobbled together in the CIA laboratory of Afghanistan in the 1980s---pumped up with CIA money and specific advice on how to 'radicalize' the religion of Islam---a kind of Frankenstein aided and abetted every step of the way through complete inaction on its mission to the 'new Pearl Harbor.'

It's hard to believe,but the new Pearl Harbor bears a close resemblance to the old Pearl Harbor, in which the Roosevelt Administration provoked the attack, anticipated it, deliberately allowed it to happen, and went so far as to 'call off routine training exercises that would have revealed the presence of the Japanese fleet' and ruin the surprise. (Read *Day of Deceit,* by Robert Stimmons (2000) and weep.)

There's no 'War on Terror.' There are only the sorry results of the past 60 years. Each injustice, coup d'etat, assassination, pay-off, rip-off, instigation of war, covert action, takeover, sell-out, theft of resources, impoverishment or death-squad murder *leads one more step inevitably to 9/11 and beyond.* If we fail to act, the worst may be on its way. Noam Chomsky made it really easy to understand in a recent book. If the oppression is allowed to continure---evemtually someone *is* going to get hold of a nuclear bomb. What he's saying is make your choice: *hegemony or survival.*

No time left to waste! Everyone has a role. We need primarily a social movement in this country---no one can do it on their own. No matter what seems to be going on at the moment, this government is very strong. It will not be brought down by people singing 'Kumbaya.' Look around---do you see Ann Coulter? Heather Macdonald? Sean Hannity? Jay Diamond? These people are Nazis or Nazi sympathizers. A single company owns 1,200 radio stations in the U.S. Five companies control almost all of what we see or hear. The groundwork for the resistance has to be laid now. Under real pressure, we're not far from a de-facto suspension of the U. S. Constitution. If you don't see an organization worth joining---start your own!

AMERICAN WARMONGERS....

Reagan, that one always supports the right-wing element in any international situation. The political element supporting capitalism, traditional religion, and law and order are considered the good guys, while the bad guys are the left wingers, such as the Communists and Sandinistas. Saudi Arabia, by this criterion, is and has always been a veritable utopia. Indeed, Saudi Arabia, with its prohibitions against alcohol and enforcement of the theocratic Sharia law, was run more or less the way Christian fundamentalists of the Jerry Falwell type would like America to be run.

This logic extended to the Islamic fundamentalists who battled against the Soviet-backed Afghan government in in the early '80s, and who included the founders of the Taliban. The Reagan Administration aided these violent fanatics for the same reason that Henry Ford aided the Nazis--they were opponents of Communism, the real bogeyman everywhere in the world. One is reminded of the ditty--"she swallowed the dog to catch the cat; she swallowed the cat to catch the bird; she swallowed the bird to catch the fly..." And just as with the Nazis, or with the Japanese militarists, the right-wing enemy turns out to be far more ruthless and irrational than the relatively predictable Communists ever were, perpetrating incidents such as Pearl Harbor or September 11, all the more arrogant for having been aided by the U.S. taxpayer.

In the same way that the U.S. built up the Afghan fundamentalists, the U.S. built up Iran and Iraq, supplying both of these "axis of evil" nations with decisive U.S. technology and weaponry. According to declassified documents published by the National Security Archive at George Washington University on Feb. 25, 2003, Donald Rumsfeld visited Baghdad on Dec. 17, 1983, and delivered a letter from President Ronald Reagan to Saddam Hussein, offering to renew diplomatic relations and broaden commercial and military ties. Rumsfeld later explained the overtures toward the Iraqi regime, saying that "the U.S. and Iraq shared interests in preventing Iranian and Syrian expansion." Subsequently, the United States Export-Import Bank provided a 500 million dollar loan guarantee to Iraq for the construction of the Aqaba oil pipeline. Between 1983 and early 1990, the Commodity Credit Corporation, an agency of the U.S. Department of Agriculture, provided 4.98 billion dollars in farm loan guarantees to Iraq under which the U.S. taxpayer was to be responsible for defaults. These subsidies resulted in a grain surplus in Iraq, which the Ba'athist regime took advantage of by trading grain to the Soviet Union in exchange for armaments, including ground-to-air missiles that were stockpiled in vast numbers and are presently being used by the Iraqi insurgency to down U.S. helicopters.

The Reagan administration also encouraged the sale of "dual-use" technology to Iraq. Items approved for shipment included a computerized database for Saddam's Interior Ministry; helicopters to transport Iraqi officials; television cameras for video surveillance operations; lab equipment for chemical-analysis equipment to be used by the Iraq Atomic Energy Commission (IAEC); and specimens of bacteria/ fungi/protozoa, including the anthrax pathogen, from the American Type Culture Collection based in Rockville Maryland.

The tilt toward Iraq did not stop the Reagan Administration from simultaneously aiding Iran, in an even more clandestine and illegal fashion. We all know about the Iran-Contra scandal, which came to light in 1986, in which high-ranking members of the Reagan Administration brokered arms sales to that Islamic Republic, the proceeds of which were used to subsidize the Contras, American-backed right wing rebels fighting against the Sandinista government in Nicaragua.

One may speculate about the logic of why the same administration would support both sides in the same war--was it a calculated attempt to play the two enemies against one another, or an inept experiment in realpolitik that ended up making both nations greater threats to the U.S?

Regardless of motive, it hardly qualifies as "pre-emptive" to give material aid to one's enemies only to realize at some point in the future that they now constitute such a threat that we must attack them to save American lives.

The doctrine of pre-emptive warfare was not invented by George W. Bush. It is a thread that has connected the minds of all war-like peoples over the course of history. "I must destroy my enemy before he destroys me" has been not only a war cry but a motive for a great deal of interpersonal violence both great and petty. Caesar's legions slaughtered 70,000 Teutons, an ancient people whom the Romans called barbarians, because they set up their camp too close to the border of the Roman empire Al Capone pre-emptively gunned down the Irish bootleggers of Chicago before any of them got big enough to challenge his liquor empire.

Pre-emptive warfare is nothing but the thinking of the aggressor set down as U.S. foreign policy. Pre-emptive warfare is criminal, primitive, and antisocial, and it is unnecessary because it serves to further the empire, not the people. What do Caesar, Bush, and Al Capone all have in common? They are, or were, rich men unwilling to share the earth with people that they cannot control.

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POWER OUTAGE TRACED TO DIM BULB IN WHITE HOUSE

THE TALE OF THE BRITS WHO SWIPED 800 JOBS FROM NEW YORK, CARTED OFF $90 MILLION, THEN TURNED OFF OUR LIGHTS

By Greg Palast
(http://www.gregpalast.com)

BONFIRE LIGHTS UP THE NIGHT IN TOMPKINS SQ. PARK DURING THE BLACK-OUT ON 8/14/03 (Photo by P. DeRienzo)

I can tell you all about the ne're-do-wells that put out our lights tonight [August 14, 2003—Ed.]. I came up against these characters--the Niagara Mohawk Power Company--some years back. You see, before I was a journalist, I worked for a living, as an investigator of corporate racketeers. In the 1980s, "NiMo" built a nuclear plant, Nine Mile Point, a brutally costly piece of hot junk for which NiMo and its partner companies charged billions to New York State's electricity ratepayers.

To pull off this grand theft by kilowatt, the NiMo-led consortium fabricated cost and schedule reports, then performed a Harry Potter job on the account books. In 1988, I showed a jury a memo from an executive from one partner, Long Island Lighting, giving a lesson to a NiMo honcho on how to lie to government regulators. The jury ordered LILCO to pay $4.3 billion and, ultimately, put them out of business.

And that's why, if you're in the Northeast, you're reading this by candlelight tonight. Here's what happened. After LILCO was hammered by the law, after government regulators slammed Niagara Mohawk and dozens of other book-cooking, document-doctoring utility companies all over America with fines and penalties totaling in the tens of billions of dollars, the industry leaders got together to swear never to break the regulations again. Their plan was not to follow the rules, but to ELIMINATE the rules. They called it "deregulation."

It was like a committee of bank robbers figuring out how to make safecracking legal.

But they dare not launch the scheme in the USA. Rather, in 1990, one devious little bunch of operators out of Texas, Houston Natural Gas, operating under the alias "Enron," talked an over-the-edge free- market fanatic, Britain's Prime Minister Margaret Thatcher, into licensing the first completely deregulated power plant in the hemisphere.

And so began an economic disease called "regulatory reform" that spread faster than SARS. Notably, Enron rewarded Thatcher's Energy Minister, one Lord Wakeham, with a bushel of dollar bills for 'consulting' services and a seat on Enron's board of directors. The English experiment proved the viability of Enron's new industrial formula: that the enthusiasm of politicians for deregulation was in direct proportion to the payola provided by power companies.

The power elite first moved on England because they knew Americans wouldn't swallow the deregulation snake oil easily. The USA had gotten used to cheap power available at the flick of switch. This was the legacy of Franklin Roosevelt who, in 1933, caged the man he thought to be the last of the power pirates, Samuel Insull. Wall Street wheeler-dealer Insull, creator of the Power Trust, and six decades before Ken Lay, faked account books and ripped off consumers. To frustrate Insull and his ilk, FDR gave us the Federal Power Commission and the Public Utilities Holding Company Act which told electricity companies where to stand and salute. Detailed regulations limited charges to real expenditures plus a government-set profit.The laws banned "power markets" and required companies to keep the lights on under threat of arrest--no blackout blackmail to hike rates.

Of particular significance as I write here in the dark, regulators told utilities exactly how much they had to spend to insure the system stayed in repair and the lights stayed on. Bureaucrats crawled along the wire and, like me, crawled through the account books, to make sure the power execs spent customers' money on parts and labor. If they didn't, we'd whack'm over the head with our thick rule books. Did we get in the way of these businessmen's entrepreneurial spirit? Damn right we did.

Most important, FDR banned political contributions from utility companies--no 'soft' money, no 'hard' money, no money PERIOD.

But then came George the First. In 1992, just prior to his departure from the White House, President Bush Senior gave the power industry one long deep-through-the-teeth kiss good-bye: federal deregulation of electricity. It was a legacy he wanted to leave for his son, the gratitude of power companies which ponied up $16 million for the Republican campaign of 2000, seven times the sum they gave Democrats.

But Poppy Bush's gift of deregulating of wholesale prices set by the feds only got the power pirates halfway to the plunder of Joe Ratepayer. For the big payday they needed deregulation at the state level. There were only two states, California and Texas, big enough and Republican enough to put the electricity market con into operation.

California fell first. The power companies spent $39 million to defeat a 1998 referendum pushed by Ralph Nadar which would have blocked the de-reg scam. Another $37 million was spent on lobbying and lubricating the campaign coffers of legislators to write a lie into law: in the deregulation act's preamble, the Legislature promised that deregulation would reduce electricity bills by 20%. In fact, when San Diegans in the first California city to go "lawless" looked at their bills, the 20% savings became a 300% jump in surcharges.

Enron circled California and licked its lips. As the number one life-time contributor to the George W. Bush campaign, it was confident about the future. With just a half dozen other companies it controlled at times 100% of the available power capacity needed to keep the Golden State lit. Their motto, "your money or your lights." Enron and its comrades played the system like a broken ATM machine, yanking out the bills. For example, in the shamelessly fixed "auctions" for electricity held by the state, Enron bid, in one instance, to supply 500 megawatts of electricity over a 15 megawatt line. That's like pouring a gallon of gasoline into a thimble--the lines would burn up if they attempted it.

Faced with blackout because of Enron's destructive bid, the state was willing to pay anything to keep the lights on.

And the state did. According to Dr. Anjali Sheffrin, economist with the California state Independent System Operator which directed power movements, between May and November 2000, three power giants physically or "economically" withheld power from the state and concocted enough false bids to cost the California customers over $6.2 billion in excess charges.

It took until December 20, 2000, with the lights going out on the Golden Gate, for President Bill Clinton, once a deregulation booster, to find his lost Democratic soul and impose price caps in California and ban Enron from the market.

But the light-bulb buccaneers didn't have to wait long to put their hooks back into the treasure chest. Within seventy-two hours of moving into the White House, while he was still sweeping out the inaugural champagne bottles, George Bush the Second reversed Clinton's executive order and put the power pirates back in business in California. Enron, Reliant (aka Houston Industries), TXU (aka Texas Utilities) and the others who had economically snipped California's wires knew they could count on Dubya, who as governor of the Lone Star state cut them the richest deregulation deal in America.

Meanwhile, the deregulation bug made it to New York where Republican Governor George Pataki and his industry-picked utility commissioners ripped the lid off electric bills and relieved my old friends at Niagara Mohawk of the expensive obligation to properly fund the maintenance of the grid system.

And the Pataki-Bush Axis of Weasels permitted something that must have former New York governor Roosevelt spinning in his wheelchair in Heaven:

They allowed a foreign company, the notoriously incompetent National Grid of England, to buy up NiMo, get rid of 800 workers and pocket most of their wages - producing a bonus for NiMo stockholders approaching $90 million.

Is tonight's black-out a surprise? Heck, no, not to us in the field who've watched Bush's buddies flick the switches across the globe. In Brazil, Houston Industries seized ownership of Rio de Janeiro's electric company. The Texans (aided by their French partners) fired workers, raised prices, cut maintenance expenditures and, CLICK! the juice went out so often the locals now call it, "Rio Dark."

So too the free-market cowboys of Niagara Mohawk raised prices, slashed staff, cut maintenance and CLICK! -- New York joins Brazil in the Dark Ages.

Californians have found the solution to the deregulation disaster: re-call the only governor in the nation with the cojones to stand up to the electricity price fixers. And unlike Arnold Schwarzenegger, Gov. Gray Davis stood alone against the bad guys without using a body double. Davis called Reliant Corp of Houston a pack of "pirates" --and he'll walk the plank for daring to stand up to the Texas Marauders.

So where's the President? Just before he landed on the deck of the Abe Lincoln, the White House was so concerned about our brave troops facing the foe that they used the cover of war for a new push in Congress for yet more electricity deregulation. This has a certain logic: there's no sense defeating Iraq if a hostile regime remains in California.

Sitting in the dark, as my laptop battery runs low, I don't know if the truth about deregulation will ever see the light--until we change the dim bulb in the White House.

Greg Palast is the author of the New York Times bestseller, "The Best Democracy Money Can Buy" (Penguin USA 2003) and the worst-seller, "Democracy and Regulation," a guide to electricity de-regulation published by the United Nations (2003, written with T. MacGregor and J. Oppenheim). Some revelations from the new Expanded Election Edition of The Best Democracy Money Can Buy:

--The story of voter registrations collecting dust, illegal purges, and the mystery of millions of ballots gone missing

--The continuing saga of the Help America Vote Act and the effort to make Florida 2000 the altar-piece of American suffrage

--Fear For Sale: how companies, including the same company that fixed the 2000 Presidential Election, are cashing in on the "War on Terror" at home and abroad .

--The "Third Ring" and the billion-dollar bonanza for George Bush's political pals to set up a new American KGB

--The James Baker bacchanal among the Saudis, Exxon, and the White House

--The 100 page "Iraq Strategy" document: a comprehensive schedule to create a free-market Disneyland in Mesopotamia put together by Washington insiders and Lobbyists – that lays bare the true reasons our troops are still putting their lives on the line

**We highly recommend this book as MUST reading for SHADOW readers. For more information about the book and book tour events, visit: http://www.gregpalast.com

(See Greg Palast's award-winning reports for BBC Television and the Guardian papers of Britain at: www. GregPalast.com. Contact Palast at: media@gregpalast. com.)

VANISHING VOTES

By Greg Palast
(http://www.gregpalast.com)

On October 29, 2002, George W. Bush signed the Help America Vote Act (HAVA). Hidden behind its apple-pie-and-motherhood name lies a nasty civil rights time bomb...

First, the purges. In the months leading up to the November 2000 presidential election, Florida Secretary of State Katherine Harris, in coordination with Governor Jeb Bush, ordered local election supervisors to purge 57,700 voters from the registries, supposedly ex-cons not allowed to vote in Florida. At least 90.2 percent of those on this "scrub" list, targeted to lose their civil rights, are innocent. Notably, more than half--about 54 percent--are black or Hispanic. You can argue all night about the number ultimately purged, but there's no argument that this electoral racial pogrom ordered by Jeb Bush's operatives gave the White House to his older brother.

HAVA not only blesses such purges, it requires all fifty states to implement a similar search-and-destroy mission against vulnerable voters. Specifically, every state must, by the 2004 election, imitate Florida's system of computerizing voter files.The law then empowers fifty secretaries of state--fifty Katherine Harrises--to purge these lists of "suspect" voters.

The purge is back, big time. Following the disclosure in December 2000 of the black voter purge in Britain's Observer newspaper, NAACP lawyers sued the state of Florida. The civil rights group won a written promise from Governor Jeb and from Harris's successor to return wrongly scrubbed citizens to the voter rolls. According to records given to the courts by ChoicePoint, the company that generated the computerized lists, the number of Floridians who were questionably tagged totals 91,000. Willie Steen is one of them. Recently, I caught up with Steen outside his office at a Tampa hospital.

Steen's case was easy. You can't work in a hospital if you have a criminal record. (My copy of Harris's hit list includes an ex-con named O'Steen, close enough to cost Willie Steen his vote.) The NAACP held up Steen's case to the court as a prime example of the voter purge evil.

The state admitted Steen's innocence. But a year after the NAACP won his case, Steen still couldn't register. Why was he still under suspicion? What do we know about this "potential felon," as Jeb called him? Steen, unlike our President, honorably served four years in the US military. There is, admittedly, a suspect mark on his record: Steen remains an African-American.

If you're black, voting in America is a game of chance. First, there's the chance your registration card will simply be thrown out. Millions of minority citizens registered to vote, using what are called motor-voter forms. And Republicans know it. You would not be surprised to learn that the Commission on Civil Rights found widespread failures to add these voters to the registers. My sources report piles of dust-covered applications stacked up in election offices.

Second, once registered, there's the chance you'll be named a felon. In Florida, besides those fake felons on Harris's scrub sheets, some 600,000 residents are legally barred from voting because they have a criminal record in the state. That's one state. In the entire nation 1.4 million black men with sentences served can't vote, 13 percent of the nation's black male population.

At step three, the real gambling begins. The Voting Rights Act of 1965 guaranteed African-Americans the right to vote--but it did not guarantee the right to have their ballots counted. And in one in seven cases, they aren't.

Take Gadsden County. Of Florida's sixty-seven counties, Gadsden has the highest proportion of black residents: 58 percent. It also has the highest "spoilage" rate, that is, ballots tossed out on technicalities: one in eight votes cast but not counted. Next door to Gadsden is white-majority Leon County, where virtually every vote is counted (a spoilage rate of one in 500).

How do votes spoil? Apparently, any old odd mark on a ballot will do it. In Gadsden, some voters wrote in Al Gore instead of checking his name. Their votes did not count.

Harvard law professor Christopher Edley Jr., a member of the Commission on Civil Rights, didn't like the smell of all those spoiled ballots. He dug into the pile of tossed ballots and, deep in the commission's official findings, reported this: 14.4 percent of black votes--one in seven--were "invalidated," i.e., never counted. By contrast, only 1.6 percent of nonblack voters' ballots were spoiled.

Florida's electorate is 11 percent African-American. Florida refused to count 179,855 spoiled ballots. A little junior high school algebra applied to commission numbers indicates that 54 percent, or 97,000, of the votes "spoiled" were cast by black folk, of whom more than 90 percent chose Gore. The nonblack vote divided about evenly between Gore and Bush. Therefore, had Harris allowed the counting of these ballots, Al Gore would have racked up a plurality of about 87,000 votes in Florida--162 times Bush's official margin of victory.

That's Florida. Now let's talk about America. In the 2000 election, 1.9 million votes cast were never counted. Spoiled for technical reasons, like writing in Gore's name, machine malfunctions and so on. The reasons for ballot rejection vary, but there's a suspicious shading to the ballots tossed into the dumpster. Edley's team of Harvard experts discovered that just as in Florida, the number of ballots spoiled was--county by county, precinct by precinct--in direct proportion to the local black voting population.

Florida's racial profile mirrors the nation's--both in the percentage of voters who are black and the racial profile of the voters whose ballots don't count. "In 2000, a black voter in Florida was ten times as likely to have their vote spoiled--not counted--as a white voter," explains political scientist Philip Klinkner, co-author of Edley's Harvard report. "National figures indicate that Florida is, surprisingly, typical. Given the proportion of non-white to white voters in America, then, it appears that about half of all ballots spoiled in the USA, as many as 1 million votes, were cast by nonwhite voters."

So there you have it. In the last presidential election, approximately 1 million black and other minorities voted, and their ballots were thrown away. And they will be tossed again in November 2004, efficiently, by computer--because HAVA and other bogus reform measures, stressing reform through complex computerization, do not address, and in fact worsen, the racial bias of the uncounted vote.

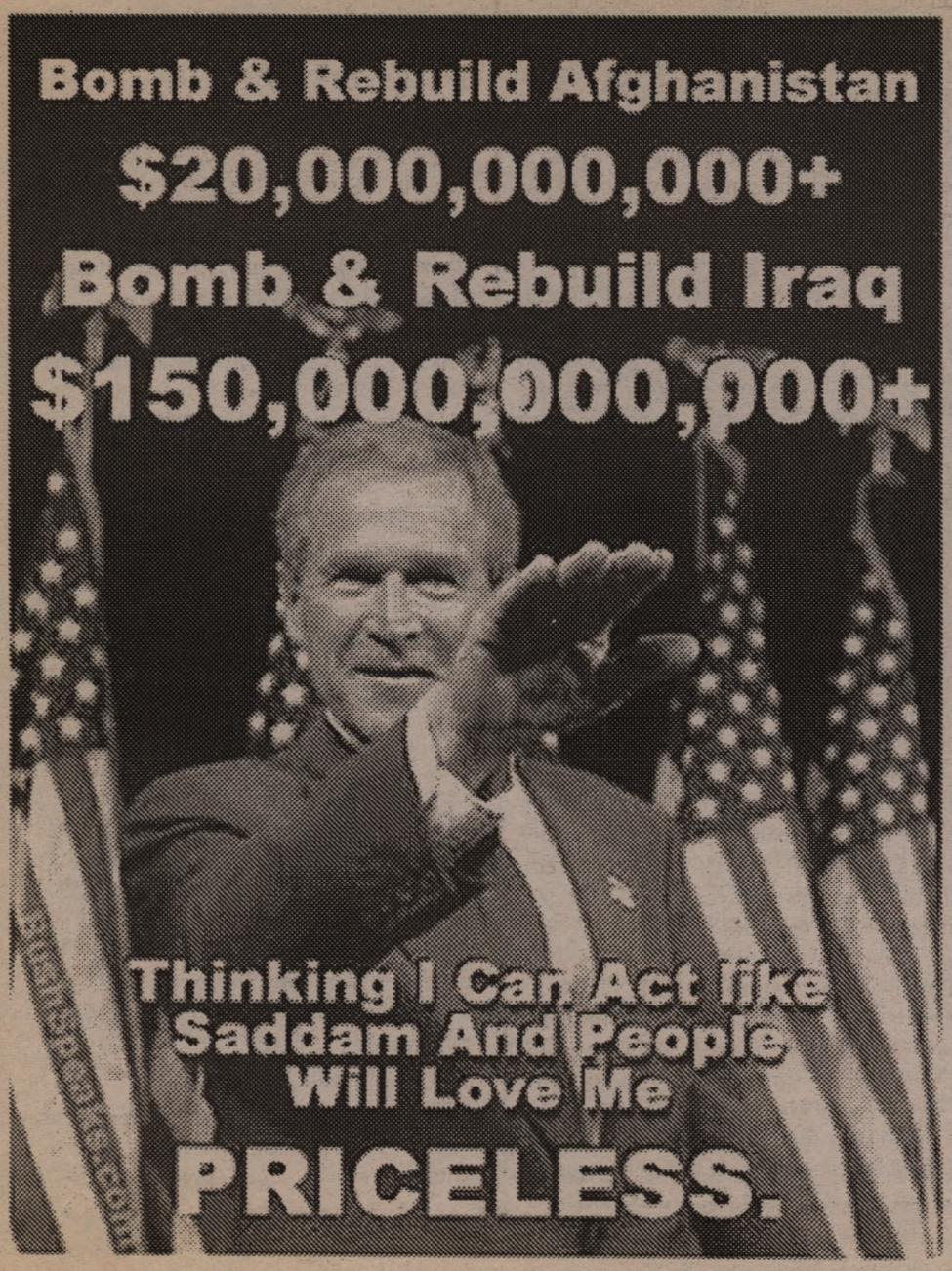
One million votes will disappear in a puff of very black smoke. And when the smoke clears, the Bush clan will be warming their political careers in the light of the ballot bonfire. HAVA nice day.

INVESTIGATIVE JOURNALIST GREG PALAST UNDER ATTACK

. Ever wonder why investigative reporting is dying in the USA? It's risky business. Poppy Bush's former gold mining company sued to block Greg Palast's reports. Greg beat Bush's Goldfinger buddies but bills remain. And now along comes Mario Cuomo suing Greg for $15 million.

. Palast is under attack. Legal assaults on Greg's investigative reports threaten to bring his work to a halt, but Greg has chosen to fight on and reach out to his friends for support. Send your contributions to: www.GregPalast.com/store.htm/

No money will go to the lawyers. 100% will go to the not-for-profit Palast Investigative Fund to support the research staff. Give more than $50 and get Greg's new live spoken word CD, signed, "Weapon of Mass Instruction - Palast Live and Uncensored" from Jello Biafra's Alternative Tentacles label.



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BAKER TAKES THE LOAF

The President's Business Partner Slices Up Iraq

By Greg Palast
(http://www.gregpalast.com)

(Dec. 8, 2003) Well, ho ho ho! It's an early Christmas for James Baker III.

All year the elves at his law firm, Baker Botts of Texas, have been working day and night to prevent the families of the victims of the September 11 attack from seeking information from Saudi Arabia on the Kingdom's funding of Al Qaeda fronts.

It's tough work, but this week came the payoff when President Bush appointed Baker, the firm's senior partner, to "restructure" the debts of the nation of Iraq.

And who will net the big bucks under Jim Baker's plan? Answer: his client, Saudi Arabia, which claims $30.7 billion due from Iraq plus $12 billion in reparations from the First Gulf war.

PUPPET STRINGS

Let's ponder what's going on here.

We are talking about something called "sovereign debt." And unless George Bush has finally 'fessed up and named himself Pasha of Iraq, he is not their sovereign. Mr. Bush has no authority to seize control of that nation's assets nor its debts.

But our President is not going to let something as trivial as international law stand in the way of a quick buck for Mr. Baker. To get around the wee issue that Bush has no legal authority to mess with Iraq's debt, the White House has crafted a neat little subterfuge. The official press release says the President has not appointed Mr. Baker. Rather Mr. Bush is "responding to a request *from the Iraqi Governing Council.*" That is, Bush is acting on the authority of the puppet government he imposed on Iraqis at gunpoint.

I will grant the Iraqi 'government' has some knowledge of international finance; its key member, Ahmed Chalabi, is a convicted bank swindler.

The Bush team must see the other advantage in having the rump rulers of Iraq pretend to choose Mr. Baker; the US Senate will not have to review or confirm the appointment. If you remember, Henry Kissinger ran away from the September 11 commission with his consulting firm tucked between his legs after the Senate demanded he reveal his client list. In the case of Jim Baker, who will be acting as a de facto US Treasury secretary for international affairs, our elected Congress will have no chance to ask him who is paying his firm.... nor even require him to get off conflicting payrolls.

This takes the Bush Administration's Conflicts-R-Us appointments process to a new low.

Or maybe there's no conflict at all. If you see Jim Baker's new job as working not to protect a new Iraqi democracy but to protect the loot of the old theocracy of Saudi Arabia, the conflict disappears.

Iraq's debt totals something on the order of $120 billion to $150 billion, depending on who's counting. And who's counting is VERY important.

Much of the so-called debt to Saudi Arabia was given to Saddam Hussein to fight a proxy war for the Saudis against their hated foe, the Shi'ia of Iran. And as disclosed by a former Saudi diplomat, the kingdom's sheiks handed about $7 billion to Saddam under the table in the 1980's to build an "Islamic bomb."

Should Iraqis today and those not yet born have to be put in a debtor's prison to pay off the secret payouts to Saddam?

James Wolfensohn, president of the World Bank, says 'No!' Wolfensohn has never been on my Christmas card list, but in this case he's got it right: Iraq should simply cancel $120 billion in debt.

Normally, the World Bank is in charge of post-war debt restructuring. That's why the official name of the World Bank is "International Bank for Reconstruction and Development." This is the Bank's expertise. Bush has rushed Baker in to pre-empt the debt write-off the World Bank would certainly promote.

"I FIXED FLORIDA"

Why is our President so concerned with the wishes of Mr. Baker's clientele? What does Bush owe Baker? Let me count the ways, beginning with the 2000 election.

Just last week Baker said, "I fixed the election in Florida for George Bush." That was the substance of his remarks last week to an audience of Russian big wigs as reported to me by my somewhat astonished colleagues at BBC television.

It was Baker, as consiglieri to the Bush family, who came up with the strategy of maneuvering the 2000 Florida vote count into a Supreme Court packed with politicos.

Baker's claim to have fixed the election was not a confession; it was a boast. He meant to dazzle current and potential clients about his Big In with the Big Boy in the White House. Baker's firm is already a top player in the Great Game of seizing Caspian Sea oil. (An executive of Exxon-Mobil, one of Baker Botts's clients, has been charged with evading taxes on bribes paid in Kazakhstan.)

ALL IN THE FAMILY

Over the years, Jim Baker has taken responsibility for putting bread on the Bush family table. As Senior Counsel to Carlyle, the arms-dealing investment group, Baker arranged for the firm to hire both President Bush 41 after he was booted from the White House and President Bush 43 while his daddy was still in office.

Come to think of it, maybe I'm being a bit too dismissive of the Iraqi make-believe government. After all, it's not as if George Bush were elected by voters either. It would be more accurate to say that TWO puppet governments have agreed to let the man who has always pulled the strings come out from behind the curtain, take a bow, take charge--then take the money and run.

ADVERTISE IN THE SHADOW!!

AND THE NICE OFFICER SAID: "PUT THIS IN YOUR MOUTH AND SUCK IT"

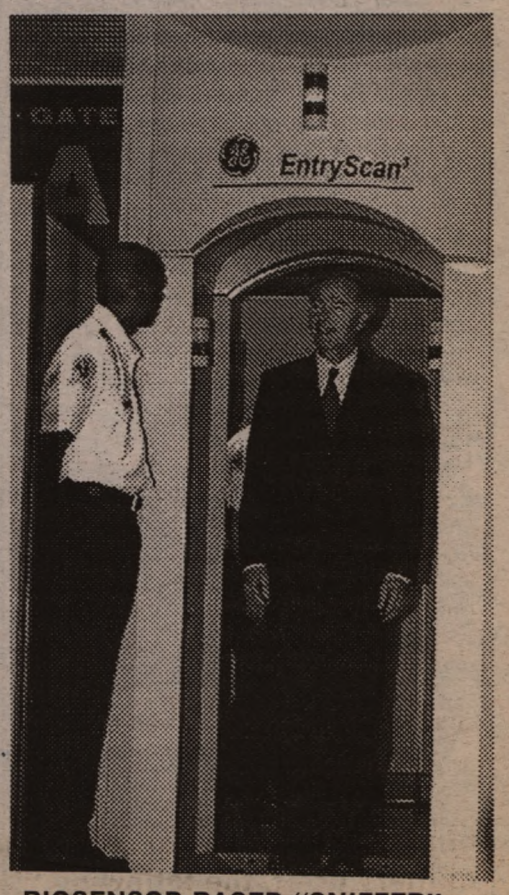
Bodily Fluid Testing Is Coming to a Highway Near You

By A. Kronstadt

This is the second in a series of articles reporting on the latest "contraband detection" technologies, which are being designed in partnership between government and private industry to detect specific molecules of chemical substances ranging from recreational drugs to ammunition and explosives. Potential weapons in the War on Terrorism, contraband detection projects have enjoyed an infusion of governmental money since September 11, 2001, although many of the proposed applications seem aimed at giving Ronald Reagan's War on Drugs a twenty-first century twist. The items discussed in Shadow #48 included "sniffers" that concentrate the molecules of such substances out of the air to a point where a chemical, or in some cases nuclear reaction can be performed to detect them. The sniffers, as well as ultrasonic devices to detect hidden cavities within packed spaces such as cargo containers and even the chassis of automobiles are already being tested by law enforcement agencies around the United States.

Here we will mention some new items are already being marketed to law enforcement and security companies, and which are perhaps being tested on us already, with or without our knowledge. While commonplace in workplaces and the military, ordinary blood testing and urinalyis for recreational drugs has been limited by constitutional issues such as who can be forced to provide a sample. What the drug warriors have always wanted are devices that can expose casual drug users with minimal need for cooperation, voluntary or involuntary, from the targeted individual. Methods for drug detection in bodily fluids that can be non-invasively obtained, such as saliva and perspiration, and even of the plume of air that surrounds each of us, are now becoming possible thanks to modern biotechnology and chemical analysis.

The biotechnology revolution is providing Big Brother with biosensors, or immunosensors, small laboratory devices that have at their core a biochemically engineered antibody from the immune system of an animal. To make a biosensor, the people at the biotechnology company start with a sample of the substance to be detected, which might be THC, the active principle of marijuana, or the explosive TNT, or the poisons ricin or sarin. The substance is chemically concocted with inflammatory agents and injected into an animal such as a horse, goat, or sheep, who develops an uncomfortable, feverish reaction and produces antibodies, just as if the stuff were a virus or bacterium. An antibody, normally secreted by animals as a defense against disease-causing organisms, has the ability to react with the original substance to form chemical bonds, and furthermore, seeks out the original substance in complicated mixtures such as biological fluids. The antibodies are extracted from the animal's blood by a specialized chemical process, and, finally, luminescent dyes are chemically bonded to the purified antibodies which are genetically engineered to literally "light up" when the antibody reacts with the substance to be detected. Finally, the antibody, or a series of antibodies are impregnated into devices called "biochips" and "flow sensors" in which large numbers



BIOSENSOR-BASED "SNIFFER" ANALYZES THE PLUME OF GAS SURROUNDING HOMELAND SECURITY BUREAUCRAT ASA HUTCHINSON

of samples can read as positive or negative by a sensitive light detector attached to computer, which cuts the time and expense compared with traditional laboratory drug testing. According to some of the manufacturers' literature, these devices are capable of detecting drugs at levels as low as 1 billionth of a gram per milliliter of saliva. Even more advanced biosensors are being developed based on technologies such as surface plasmon resonance, in which the antibody is genetically engineered to a plastic polymer whose electrical properties change when the antibody finds its contraband target. These are expected to beat the parts per billion sensitivity of the earlier luminescent sensors.

The new biosensor-based devices are intended to dramatically widen the scope of drug testing, particularly to the realm of traffic stops where they can be used to detect the very tiny amounts of drug residues present in fluids such as sweat and saliva, and create a method to test drivers for drugs comparable to the breathalyser for alcohol, which is routinely used by highway patrol officers during traffic stops and at road blocks. It is even anticipated that the sensitivity of these devices will increase to the point where the cops will be screening the plastic surfaces of drivers licences for the residues of drugs left there by the moisture on the hands of drivers, sidestepping the constitutional issues of probable cause and under what circumstances a person can be compelled to provide a urine or blood sample. It remains to be seen whether this instrumentation is straightforward enough to be handled by the average police officer and whether police ineptitude will become an issue in the legality of roadside drug testing.

See BIO-SNOOP on Page 14

DO YOU FEEL A DRAFT?

September 11, 2001: Attack on World Trade Center.
December, 2001: Canada and the US sign "Smart Border Declaration," which will be used to keep would-be draft dodgers inside the US.
January 7, 2003: Senate and Congress bring forth two bills: S.89 and H.R. 163 "To provide for the common defense by requiring that all young persons (age 18-26) in the United States, including women, perform a period of military service or a period of civilian service in furtherance of the national defense and homeland security, and for other purposes." These active bills currently sit in the Committee on Armed Services.
Summer 2003: Philadelphia Draft Board members are unexpectedly told to recruit new members for Board vacancies during Summer training.
July 25, 2003: World Net Daily prints article on plans for a medical draft.
September 3, 2003: The Congressional Budget Office warns that "the Army lacks sufficient active-duty forces to maintain its current level of nearly 150,000 troops in Iraq beyond next Spring (March 2004).
September 23, 2003: Draft Board Recruitment ad appears on Defense.Link web site; first public ad for draft Boards in decades; web page scrubbed within days of being noticed by media in early November; spokesman says there is "no plan" to reinstate the draft.
November, 2003: Congress approves President Bush's request for additional $28 million for the Selective Service System (SSS) so that it may be ready to implement a draft in 2005.
November 12, 2003: "If President Bush is re-elected, it is likely that he will reinstate the draft," says Daniel Ellsberg, of Pentagon Papers fame.
November 26, 2003: Ron Paul (R-Texas) says the "Draft is likely to be reinstated."
December, 2003: Draft Board recruitment ad re-appears on Selective Service home page on the internet, claiming that the ad has "no connection" to Iraq; Dennis Kucinich releases ad about the draft: "Listen up, young America...you could be facing a compulsory draft!"; Selective Service Register magazine reports new Special Skill Draft for men and women up to age 44.
December 22, 2003: New York Newsday prints article "Beware of Attempts to Revive Military Draft."
March 31, 2005: Deadline for SSS to report to President Bush that the system is ready for activation.
June 15, 2005: Potential Draft Lottery.

(Thanks to: http://www.draftdiscussion.org> for the above info)

In response to widespread reports about the upcoming military draft, the following "Notice" now appears on the Selective Service System web site (http://www.sss.gov/):

"Notwithstanding recent stories in the news media and on the Internet, Selective Service is not getting ready to conduct a draft for the U.S. Armed Forces -- either with a special skills or regular draft. Rather, the Agency remains prepared to manage a draft if and when the President and the Congress so direct. This responsibility has been ongoing since 1980 and is nothing new. Further, both the President and the Secretary of Defense have stated on more than one occasion that there is no need for a draft for the War on Terrorism or any likely contingency, such as Iraq. Additionally, the Congress has not acted on any proposed legislation to reinstate a draft. Therefore, Selective Service continues to refine its plans to be prepared as is required by law, and to register young men who are ages 18 - 25."

RUBBER BULLETS KILL!!

By Campaign to Demilitarize the Police
(http://demilitarizethepolice.netfirms.com)

Since the 1970's, rubber bullets have been a state-sanctioned form of crowd control. They have made their appearance in Northern Ireland, Palestine, Buenos Aires, Barcelona, Los Angeles and Oakland, California, and most recently, Miami, Florida.

So far, munitions in our research appear to be for either 12 gauge shotgun or a 37/40 mm launcher. These projectiles are available in a variety of formats designed to produce what is referred to as blunt trauma, as well as those that deliver various chemical munitions. According to industry reports, some blunt trauma "rounds" include:

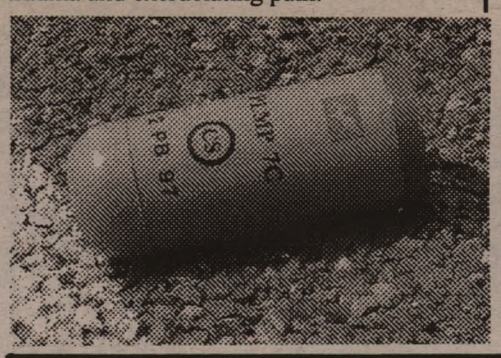
>12 Gauge Shot--Less Lethal Munitions Rubber Rocket Projectile

>Power Punch Ballistic Bag--a 12 gauge round, utilizing the industry's only 50 gram ballistic bag.

>Tri-Dent--A direct fire, behavior modification 12 gauge round which fires 3 each, 46 grain, 60 durometer rubber projectiles.

>Hornet's Nest--A direct fire 12 gauge round which fires 20 each, .308 diameter rubber projectiles.

>37/40 mm Munitions--The basic idea of the above indicated munitions are replicated in the much larger caliber projectiles in this category with the added effect of increased levels of pain as indicated in this candid sentence referring to a single ball (or mono-ball) projectile in the 37/40 mm category. The MONO-BALL launches one, 25 gram rubber projectile, producing controlled and directed incapacitation by blunt impact trauma and excruciating pain.



YOUNG WOMAN HIT IN FACE WITH RUBBER BULLET

Professor Michael Krausz, a researcher from Rambam Medical Center in Haifa, says that a study shows that low penetration projectiles are very serious weapons that could maim and kill. He urges that rubber bullets not be used for crowd control because their velocity does not prevent major harm.

Both rubber and plastic-coated metal bullets are capable of entering the skull cavity and also breaking bones.

Israeli professor Michael Krausz and colleagues at the Rambam Medical Center in Haifa analysed the medical records of 595 casualties admitted to hospital during the October 2000 protests by Palestinians living inside Israel. Of those, 152 were found to have been injured by rubber-coated metal bullets. Injuries were distributed randomly across their bodies but were most common on the patients' arms and legs, and on their head, neck and face.

The doctors said their findings dismissed the theory that "rubber bullets" were safe.

Writing in the medical journal, The Lancet, the doctors said that firing the bullets at civilians made it "impossible to avoid severe injuries to vulnerable body regions such as the head, neck and upper torso, leading to substantial mortality, morbidity and disability...This type of ammunition should therefore not be considered a safe method of crowd control."

Most crowd control technologies and restraint devices rely on the principle of containment through pain or physical restriction. They are inherently open to abuse.

Prepare to Protest the Republican National Convention in New York City

Calendar of Meetings and Workshops Brought To You By the Trainings Working Group of the NoRNC Clearinghouse:

>Friday - Sunday, June 4 - 6: Street Medic Training (Queens Rainbow Center, 30-74 Steinway Street, Long Island City) This 2½ day training will focus on the most common injuries (pepper-spray/tear-gas, hypothermia, heat injuries), basic street operations, and providing life-saving support for critical injuries until more help arrives, and will include additional first aid, wound management and splinting. For more info or to register go to <www.takethestreets.org/register.php> or email <transplant@takethestreets.org> Walk-ins welcome.

>Saturday, June 26: The monthly Direct Action Salon!
Join us to create a forum for discussion of & training in direct action. From 2:00 - 4:00pm, we'll discuss direct action and action planning. From 4:00 - 6:00pm, we'll discuss and practice direct action techniques with a focus on blockades. For the location and more information contact <trainings-nornc@riseup.net> or call (206) 333-6448.

>June 28 - July 5: Earth First! National Gathering in Maine
Amazing training and networking opportunity in the woods of midcoast Maine. Contact: <maineef@yahoo.com> for more information

>July 23 - 25: No RNC Action Camp
Three full day action camp in New Paltz, NY. Details and exact location to be announced.Contact:<trainings-nornc@riseup.net> or (206) 333-6448

[The Trainings Working Group is trying to set up additional trainings. If you have skills to share, please contact us with trainings you can make happen, trainings you want to happen, to offer or suggest spaces or to get involved in our organizing!Email: <trainings-nornc@riseup.net> Phone: (206) 333-6448 (Child care available during trainings)]

ABBIE HOFFMAN-JOHN LENNON CAMPOREE AND MILLION YIPPIE MARCH!

Brought to you by the Yippies!

The Republicans are bringing their Coronation of the Emperor to New York City. Like Vampires they want to drink up whatever soul the city has left and sell 9/11 and the war on terror as their private pocket of power. Four more bloody Bush years!

Do they know that there will be enormous demonstrations against the Naked Emperor? Sure they do. They want them. And they want to crush them. The protesters will become substitutes for the terrible terrorists. And the Republicans will show by their immense and limitless cruelty, that they not only take care of business on Wall Street.

They want us to come. And we must oblige. In the time we have before the Convention, we must develop tactics that will leave them in the dust of their own confusion.

Intense harsh but shockingly clever and hilarious protest against the Emperor Bush will make America laugh at him and see him in an unprogrammed state of his actual evil.

New York needs a cosmic joke. So does America. So let's start showing them just what tricks the Yippies have up their sleeves:

On August 22, at 8:00pm, a weeklong series of events to be announced will begin with a Yippie Tea Party at Mayor Bloomberg's mansion at Fifth Avenue and East 79th Street. Bring beer kegs, pies and donuts for the cops.Bring drums, bongos and noisemakers to send a loud message to the mayor. From then until the end of the convention on September 2, a welcome center, complete with convention and demo info and a soup kitchen will be set up in Tompkins Square Park (St. Marx Place + Avenue A). More info available at:<millionyippiemarch @ pieman.org>

IGNORE ANY RUMORS OF CANCELLATION!

9/11 TRUTH MOVEMENT CALLS OUT KEAN COMMISSION

Out To End the Cover-Up in 2004

By Nicholas Levis (with thanks to Robert Lederman)

As the SHADOW goes to press (May 21), activists with NY 9/11 TRUTH are preparing to hold a speakers' evening on May 22, called, "Stop the 9/11 Cover-up. A September 11th Widow Speaks Out," in New York City's Riverside Church.

The widow in question is Ellen Mariani, who lost her husband Neil on United Airlines Flight 175 on September 11, 2001. She has refused to file a claim with the U.S. government's 9/11 victims' compensation fund. The monetary awards average about $1.8 million per case, and claimants must forego all rights to litigation against U.S. agencies and companies.

Mariani chose instead to sue members of the Bush Administration for allowing the September 11 attacks to happen, obstruction of justice, and violations of RICO (the Racketeering Influenced Corrupt Organizations Act). Among the defendants in the suit are George W. Bush, Dick Cheney, Donald Rumsfeld, Kenneth Feinberg (Mariani's former attorney, who administrates the government fund) and a dozen others inside and outside the administration.

Mariani will be appearing with her counsel, Phil Berg, former deputy attorney general of Pennsylvania. The evening will open with a speech by Scott Ritter, the former UN chief weapons inspector for Iraq, who resigned in 1998 after he refused to give a justification for bombing that country. Since then, Ritter has been a powerful voice against the sanctions on and invasion of Iraq--and against the erosion of constitutional government in the United States.

Ritter's appearance signals an intensifying convergence between the anti-war movement and the rising 9/11 Truth Movement. In the third year after the attacks, the government's steadfast refusal to deal with the still-open questions is finally leading millions of people to take up the cause of 9/11 truth disclosure.

Recent endorsements by Ed Asner, Gore Vidal and Howard Zinn may signal the start of an avalanche. 9/11 truth has become Ground Zero for the peace movement.

KEAN COMMISSION COVER-UP

Mariani was in New York City early in the week to attend two days of hearings on May 18 + 19 by the Kean Commission, the official panel investigating the 9/11 attacks. 9/11Truth Movement activists prepared for this, the commission's last session in New York, by publishing a booklet entitled, "Scamming America: The Official 9/11 Cover-Up Guide." Hundreds of September 11 family members, reporters and others lining up for the security check at The New School received free copies, as did most of the commissioners.

By the second day of lightweight and generally irrelevant testimony, the crowd was getting restless. The star-turn at the hearings that morning belonged to Rudy Giuliani, who spoke on New York City's response to the 9/11 attacks. In his telling, his agencies made only the right decisions; everything had been planned perfectly in advance; and anything that went wrong was due to the fog of war.

The commissioners did not challenge Giuliani. Chairman Kean led off the questioning with the observation that terrible as September 11 was, New York City was actually blessed to have a great leader like Giuliani in command on that day. Did Sir Rudy have advice for all the other cities that were not as lucky?

Even Giuliani blanched at the obsequiousness. His recommendation to other cities was that they should set up an Office of Emergency Management to coordinate the various agencies, as he had done before 9/11. However, none of the commissioners bothered to ask him why he had placed the OEM bunker on the 23rd floor of 7 World Trade Center, in a complex known to be the likeliest target for an attack. Giuliani never got to use the bunker, which was destroyed in the attacks, and he had to scramble to set up a new command post on 9/11.

One after the next, the commissioners took turns praising Giuliani's leadership and lobbing softballs. When Giuliani for the umpteenth time mentioned how well his agencies had communicated amongst themselves, the families' section broke out in chants of "talk about the radios!" They were referring to the well-known technical failures of the Fire Department's radio system.

Since the day before, several family members had held up signs that said "LIES." Now a young man jumped up and began to yell: "Three thousand people were murdered and that's not great leadership!" He asked why no family members were present on the panel.

He demanded two minutes to pose his own questions, then began doing so as he was escorted outside by the security: "Why did WTC 7 collapse, although no aircraft touched it? Could this be related to the tanks of diesel fuel that OEM had placed in the building above ground?" (The Fire Department had protested this obvious violation of the fire code.)

Why did Giuliani see to it that all of the metal from Ground Zero was shipped straight to Asian scrappers--violating the requirement for a full forensic reconstruction of the collapse mechanics?

And what about all those early warnings about September 11 received by the administration? Was the panel ever going to ask? No.

As soon as the hall had quieted down, Giuliani and the commission returned to the script, acting as though nothing had happened. The "testimony" by former Mayor Giuliani was more of a testimonial by the panel to the Giuliani myth than testimony.

Unexpectedly, the families themselves turned it into the very first bad press Giuliani has had since 9/11. As they made clear, the "questioning" was notable for its complete failure to try to find out anything.

Giuliani has defended Bush as a great leader, yet even Bush supporters now understand that the Bush Administration, if seen in the most favorable light, bungled every conceivable aspect of their duty to safeguard the nation. Seen in a more critical light, there can be no explanation for 9/11 that does not in some form find Bush and Co. criminally culpable.

Will we ever find out what happened on 9/11? Certainly not from this panel.

(For more information and a downloadable copy of the brochure Scamming America: The Official 9/11 Cover-Up Guide, visit <www.ny911truth.org> This well-written and researched brochure is highly-recommended by the SHADOW!)

BLOOMBERG FIDDLES WITH FIRE PROTECTION AS NYC BURNS

Struggle Over People's Firehouse Continues

By Kurt Hill and A. Kronstadt

On May 25, 2003, the administration of N.Y.C. Mayor Michael Bloomberg made good on its threat to close down six city fire houses, four of which were located in the borough of Brooklyn. Bloomberg justified the closings as budget cutting measures.

One of the firehouses that had been shut down was Engine Company 212, in the tightly knit community of Northside, which is part of Williamsburg, Brooklyn. Founded in 1869, Engine Company 212 became known as "The People's Firehouse" during the mid-1970s when neighborhood residents battled budget-cutting city officials who shut the firehouse down. The firehouse was seized by activists and turned for some time into a community center; in the end the local people won and the fire house was reopened by Mayor Ed Koch in 1978.

The latest tug of war began in November, 2002, when Bloomberg first announced the cuts and produced statistics from the N.Y.C. Fire Department supporting his contention that response time had improved to the point where nearby engine companies could handle the extra workload from the closing of fire houses such as Engine Company 212. At that time, eight companies were threatened with closing. Activists from the affected neighborhoods joined with the Uniformed Firefighters Association to protest the closings, with both community residents and firemen arguing that the cutbacks put their lives in danger. A Freedom of Information Act suit was initiated and, under pressure, the Fire Department admitted that its statistics were faulty and the "improved" response times were nowhere near what was needed to assemble forces for fighting an actual fire or administering emergency medical assistance.

Northside residents argued that their neighborhood included industrial facilities that presented the potential for disaster in the absence of appropriate fire fighting facilities, ranging from the Buckeye pipeline carrying flammable jet fuel, which runs under Northside and neighboring Greenpoint, to Radiac, which is the only low-level radioactive waste storage facility in New York City, as well as Keyspan's liquid natural gas storage site and many metal plating plants that use flammable sodium and lithium. Adjacent to these facilities are rows of wood frame houses, many with common roofs, allowing a potential inferno to spread freely. None of these hazards were accounted for in any of the statistics being used to justify the closing of Engine Company 212.

Still, Bloomberg pressed ahead with his plans for the cuts, although community pressure reduced the number of firehouses to be closed from eight to six. On May 25, eight protesters were arrested for entering and refusing to leave Engine Company 212 on the day the city officially closed it down. The door to the fire house had been left open to the protestors, intentionally or inadvertently, by Fire Department personnel. On June 22, Northside residents demanding that the fire house be reopened forced Mayor Bloomberg to leave the platform and be spirited away by his bodyguards at a ceremony marking the 100th anniversary of the Williamsburg Bridge. Protesters set up barricades, including a cement-filled sofa and a water-filled refrigerator, in front of the shuttered fire station, which still contained the company's pumper truck. Tents were erected and activists maintained 24-hr vigil.

Around 11 a.m. on August 12, two female plainclothes police officers approached Kurt Hill, who was keeping the vigil in a tent. Hill is an staff member of the People's Firehouse, Inc. community organization, founded during the struggle over the firehouse in the '70s. The cops did not identify themselves as such and briefly engaged Hill in conversation. In a coordinated move, a van packed with helmeted riot cops pulled up, and the cops confiscated Hill's cell phone to prevent him from alerting other activists who were camped out to protect the firehouse. Caught off guard, the Northsiders were unable to prevent the cops from removing the fire engine and securing the now-empty Engine Company 212.

On the evening of November 19, 2004, a five alarm fire destroyed eleven row houses on Monitor Street, one and one-half miles from Engine Company 212, and left 29 families homeless. Stephen Cassidy, head of the Uniformed Firefighters Association, told the media that "at least four of the homes could have been saved" had Engine Company 212 been open. Engine Company 212 would have responded to the fire on the third alarm.

The case of the Williamsburg Seven, protesters arrested on May 25, 2003, for occupying Engine Company 212 on the night that it was closed down, went to trial on January 28, 2004. Judge James Burke of Brooklyn Criminal Court rejected the necessity argument presented by the defendents, who contended that they had occupied the firehouse to "avert a greater harm"whereby their community had been deprived of fire protection. The judge also rejected the argument that their actions did not constitute trespass because the door to the firehouse had been left open by the firemen as they left the building. Faced with a potential 30 day jail sentence and $500 fine, the activists accepted "adjournments in contemplation of dismissal," or conditional discharges on the counts of disorderly conduct and trespass.

Supporters of the Engine 212 Community Action Group have refused to give up the struggle to reopen their community's firehouse. At Bloomberg's January State of the City address, cops ejected a contingent of protesters from Northside who tried to hold up a banner saying "We Got Burned: Reopen Engine 212." Activists have pledged continued nonviolent resistance to this attack on their neighborhood, and are formulating plans to publicize and win their goals, including Civilian Complaint Review Board grievances and additional Freedom of Information Act lawsuits. Firehouse closings have become one of many issues on which the unpopular Bloomberg has exposed himself as being insensitive to the needs of poor and working class communities, and which are making it more and more likely that he will be unseated in 2005.

DOWNSIZING THE HEROES

SETH 2004

9-11

NEWYORKERS CALLED THEIR FIREFIGHTERS HEROES

BUT 1 YEAR LATER THE CITY WANTED TO CLOSE 8 FIRE HOUSES TO DEAL WITH A BUDGET DEFICIT.

IT'S NOTHING NEW. IN THE 70'S THE ECONOMY WAS BAD, THE CITY, IN DEBT, SO THEY CLOSED FIRE HOUSES

SLUMLORDS TOOK AD-VANTAGE BURNED THEIR PROPER-TY FOR INSURANCE

CUTTING LOSSES IN A WEAK ECONOMY, LANDLORDS BURNED DOWN POOR NEIGH-BORHOODS CREATING A HOUSING SHORTAGE THAT STILL PLAGUES NEW YORK CITY TODAY.

IN BROOK-LYN

THE CITY WANTED TO CLOSE FIRE HOUSE 212

A GROCER NAMED ADAM VANESKI LED NEIGHBORS INTO THE STREET IN A MOVEMENT TO SAVE 212.

FOR TWO YEARS THE PROTESTERS OCCUPIED 212

THE CITY GAVE UP.

212 WAS SAVED! THEY CALLED 212 THE "PEOPLE'S FIRE HOUSE."

SETH TOBOCMAN

IN THE 90s THE STOCK MARKET BOOMED.
THE CITY BUDGET WAS HEALTHY.
THE POPULATION OF N.Y.C. GREW.
NEAR 212 NEW HOUSING PROJECTS WERE PLANNED.
DID GIULIANI BUILD MORE FIREHOUSES? NO WAY! IN FACT RUDY TRIED TO MAKE FIRE CUTS!
OLD FIREHOUSES HAVEN'T BEEN RENOVATED. THE FLOORS ARE TOO WEAK TO SUPPORT MODERN EQUIPMENT, SO TRUCKS ARE KEPT IN OUTDOOR CAGES. IN WINTER, DIESEL FUEL CAN FREEZE. LIFESAVING EQUIPMENT IS DAMAGED BY COLD.
BY CONTRAST THE N.Y.P.D. GREW STEADILY IN THE 1990s.
SO WHY CUT FIRE?
CONGRESS GAVE MAYOR BLOOMBERG MILLIONS IN DISASTER RELIEF.
WHERE IS THE MONEY?
1 GROUP WOULD BENEFIT, LANDLORDS WANTING TO COMMIT ARSON.
ONCE AGAIN
THEY WANTED TO CLOSE 212.
PEOPLE PROTESTED AND BLOOMBERG BLINKED.
HE DELAYED THE CLOSING, SET UP A COMMISSION TO STUDY
ALTERNATIVE WAYS OF CUTTING
the FIRE BUDGET.
BUT BLOOMBERG
WAS JUST BUY-ING TIME.

BY WINTER OF 2003

THE U.S. WAS AT WAR!

IT WAS A TIME OF GREAT PATRIOTISM FOR THE F.D.N.Y.

SUPPORT – TROOPS

THE MAYOR ANNOUNCED HIS DECISION TO CLOSE 6 FIRE HOUSES

I ♥ NY

CLOSING DAY, RESIDENTS GATHER AT 212

WE'VE DONE ALL WE CAN!

THERE WERE 14 FIRE-MARSHALS GUARDING 212, USUALLY THERE ARE NONE.

PAUL VANESKI, SON OF THE LATE ORGANIZER ADAM VANESKI, WAS ANGRY.

IT ISN'T OVER!

PAUL WENT IN THE BASE-MENT DOOR FOLLOWED BY A LADY.

PROTESTERS PENETRATING THE BUILDING

INSIDE, PAUL PRESSED A BUT-TON

OPENING THE FIRE HOUSE DOOR!

FOLKS OCCUPIED THE FIRE-HOUSE DOOR WAY

PAUL CHAINED HIMSELF TO THE FIRE-ENGINE!

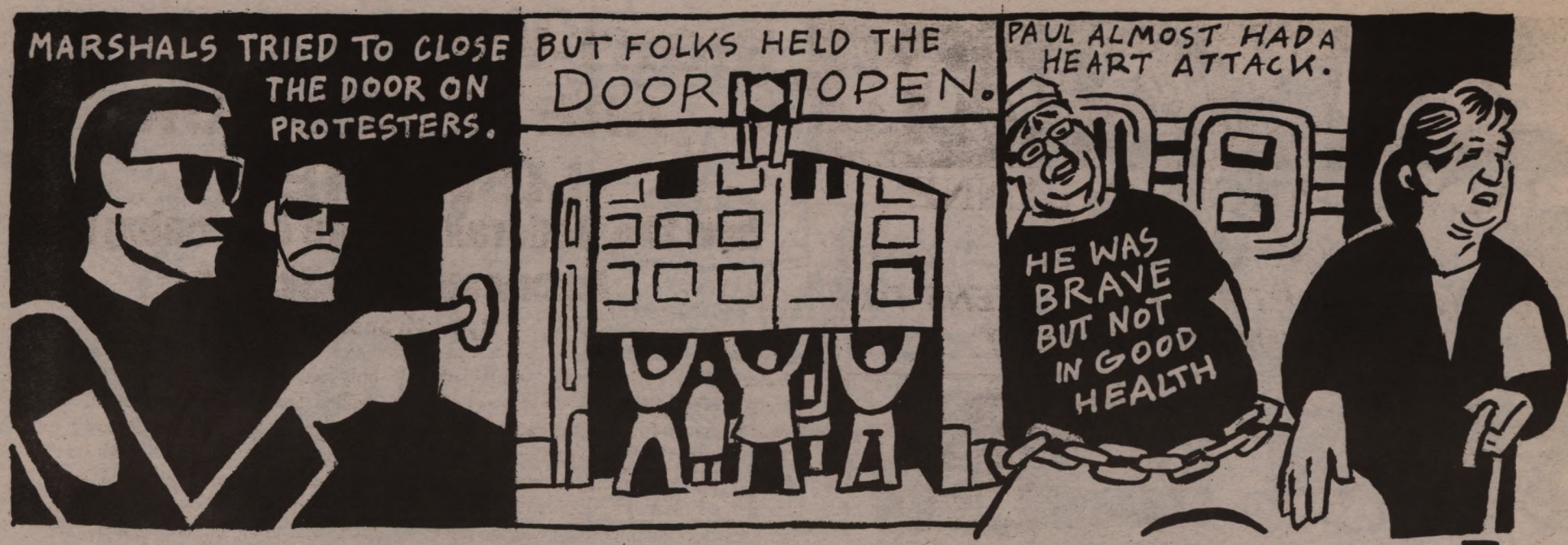
ADAM VANESKI

N.Y.

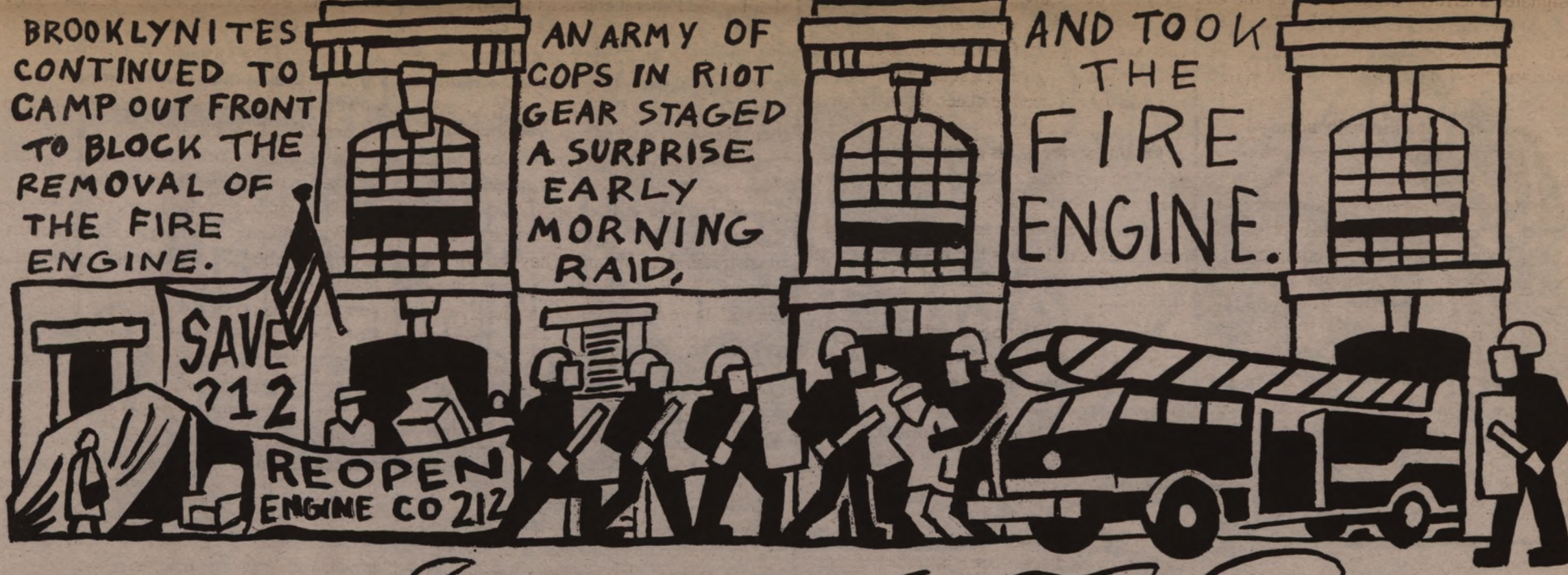
AS

NO CUT BACK

MARSHALS KEPT FOLKS BACK


MARSHALS TRIED TO CLOSE THE DOOR ON PROTESTERS.
BUT FOLKS HELD THE DOOR OPEN.
PAUL ALMOST HAD A HEART ATTACK.
HE WAS BRAVE BUT NOT IN GOOD HEALTH

BY 1PM, 8 PROTESTERS HAD BEEN ARRESTED.
MARSHALS WERE IN CONTROL


BROOKLYNITES CONTINUED TO CAMP OUT FRONT TO BLOCK THE REMOVAL OF THE FIRE ENGINE.
AN ARMY OF COPS IN RIOT GEAR STAGED A SURPRISE EARLY MORNING RAID,
AND TOOK THE FIRE ENGINE.
SAVE 212
REOPEN ENGINE CO 212

LANDLORDS ARE FREE TO BURN BROOKLYN
$87 BILLION FOR WAR IN IRAQ,
BUT NO $ TO PROTECT US FROM FIRE?
THE BEST THING YOU CAN DO FOR AMERICA IS TO GET OUR MONEY, AND OUR KIDS, OUT OF IRAQ, AND BRING 'EM HOME.
TO SAVE OUR CITIES.

DOWN BY LAW

NEW CHARGES IN LYNNE STEWART CASE

JUSTICE DEPARTMENT THREATENS TO SUBPOENA WW3 REPORT

Photo by Robert Mecea

On November 22, the US government filed fresh charges against New York civil rights lawyer Lynne Stewart and two alleged co-conspirators--postal worker Ahmed Sattar and translator Mohammed Yousry. The new indictment comes after a federal judge in July dismissed charges that the three had conspired to provide material support to Egypt's Islamic Group, which is designated a terrorist organization by the US State Department. US Judge John Koetl said the original charges were unconstitutionally vague and "reveal a lack of prosecutorial standards."

Federal prosecutors initially accused Stewart of passing messages between her client, Sheikh Abdel Rahman, and Egyptian supporters from his prison cell, where he is serving a life term on charges of conspiring to blow up several New York landmarks. The new indictment charges that Stewart helped conceal from prison guards conversations in which Rahman told his translator and assistant to call upon "Muslims everywhere" to free him from prison and "Kill them [Americans] anywhere you find them." According to the new indictment, Stewart "pretended to be participating in the conversation with Abdel Rahman by making extraneous comments such as 'chocolate' and 'heart attack.'"

Just as the new indictment was brought, **WW3 REPORT** editor and **SHADOW** reporter Bill Weinberg received a letter via Federal Express, dated November 14, from James B. Comey, then US Attorney for Manhattan (and since promoted to deputy attorney general). The letter said that the US government is seeking Weinberg's "voluntary cooperation" in turning over the complete text of an interview with Stewart which ran in the June 30, 2002 issue of **WW3 REPORT**, as well as testimony and "unpublished outtakes, notes, or tapes from the same interview..." The letter states: "If you do not comply voluntarily, this Office may seek approval from the Attorney General for the issuance of a subpoena to compel you to produce the materials and to testify."

On the advice of his attorney, Weinberg is not cooperating with the request at this time, and does not wish to acknowledge whether any materials exist other than the published text. He has had his attorney reply to the US Attoney's office with a letter to this effect.

Meanwhile, Lynne Stewart's trial is set to begin in June. Judge John Koeltl has granted the government's motion for trial by anonymous jury, despite his opinion that the government has a heavy burden proving that Stewart intended to help a terrorist conspiracy.

(To learn more about Lynne Stewart's case, with daily updates, visit: <http://www.lynnestewart.org> The Lynne Stewart interview can be seen online at: <http://ww3report. com/40.html#stewart>)

RIGHT-WING LAWYERS ARE AFTER OUR LIBERTIES:

How The "Federalists" Are Deforming the American Legal System

By A. Kronstadt

Veteran New York attorney Martin Garbus has represented clients as diverse as Lenny Bruce, Salman Rushdie, Al Pacino, Spike Lee, Richard Gere, Nelson Mandela, and Robert Redford, and he is presently defending private citizens being sued by media moguls for downloading free music on the Internet. With past *Down by Law* contributor Stanley Cohen, Garbus is the co-author of *Tough Talk: How I Fought For Writers, Comics, Bigots, and the American Way* in which he chronicles his no-holds-barred struggle to defend the First Amendment.

In his latest book, *Courting Disaster: The Supreme Court and the Unmaking of American Law*, Garbus exposes the workings of the Federalist Society for Law and Public Policy Studies, a tightly knit organization of ultra right-wing judges, lawyers, and law students which has assumed a disturbing degree of influence over appointments to the Federal Judiciary during the administrations of Ronald Reagan and George Bush Sr., Jr. Members of the Federalist Society now control the Office of the Counsel to the President, the White House's own legal office which is in charge of coordinating all judicial appointments.

At a talk at the Open Center in Soho last June, Garbus described the forces currently shaping the Federal courts as follows :

"Back in 1980 and 1988, when Pat Robertson threatened to run in the primaries in an attempt to keep the far right within the fold of the Republican party and not have them start their own group, a deal was struck to give the conservatives the courts and let them control the issues that concern them. The people who've been appointed by Reagan/Bush/Bush to the courts are not mainstream Republicans. They are not even conservative Republicans. They are the people who have a commitment to the Evangelical right, people who are far to the right of the center of the Republican party. And the Federalists whom I've mentioned before are also such a group."

The Federalist society was founded in 1982 by ultra-conservative University of Chicago law students. Early members included Reagan Attorney General Edwin Meese, of dubious renown for hs role in Iran-Contra scandal, and then-Senator Spencer Abraham, who is presently George W. Bush's Energy Secretary. Nowadays, right-wing Republican Senator Orrin Hatch of Utah is one of the co-chairs of the Federalist Society, and members include former Solicitor General Robert Bork, rejected as a Reagan appointee for Supreme Court justice due to his extreme right-wing views, as well as Justice Antonin Scalia of the U.S. Supreme Court, who is viewed as one of the two most conservative members of the current High Court. Kenneth Starr, the Federal special prosecutor who orchestrated the unsuccessful attempt to impeach President Bill Clinton, is among the society's main ideological pundits. The Federalist Society also claims as members 40,000 lawyers, federal and state circuit and trial judges, and law professors, as well as policy experts and business leaders.

Garbus' contention is that law and politics are inextricably intertwined and that not only judicial appointments but the decisions handed down by judges are based on political agendas. In *Courting Disaster*, recent decisions by conservative-dominated Federal courts purporting to defend "states' rights," are really about the "battle over race, class, religion, money, and power." For example, legislation was passed by Congress allowing women to legally pursue rapists on a Federal level when State courts have failed to provide adequate remedy. However the 4th Circuit Court in Virginia, dominated by right-wing Republican judges, struck down the case that Christina Brzonkala brought against a Virginia college for failing to expel the men who had attacked her, on the grounds that the prosecution of rape was reserved for the States, and therefore Federal laws covering that ground were violating states' rights (*Brzonkala vs. Virginia Polytechnic Institute*). Laws protecting handicapped people were similarly struck down in a 5-4 decision, under the banner of "states rights," this time by the U.S. Supreme Court (Garrett vs. University of Alabama). States rights was also the justification under which the "Brady Bill," which would have required Federal registration of guns, was struck down by the High Court. In contrast, similar states-rights based arguments have been rejected by Federal courts when brought by individuals prosecuted under Federal drug laws, as well as various other Federal laws that encroach upon the powers of states but which are supported by conservative Republicans.

Citing the abovementioned cases, Garbus said in his talk at the Open Center:

"The Republicans for many years accused the Warren Court of being an activist court, saying that they did not believe in judicial restraint. But in the last five years, the present Court has struck down 128 Acts of Congress--nobody has ever done anything like that before. So under the guise of judicial restraint, they turn out to be the most activist court that there has ever been."

One of the things that the Federalist Society has been doing is promoting the creation of new legal theory and case law based not only on states' rights, but "eminent domain," an old legal principle requiring the government to reimburse the owners of property that it confiscates for public use. The eminent domain argument has been interpreted, in some of the decisions by Republican-dominated courts, to require the government to reimburse polluting companies for the losses that they sustain as a result of environmental protection laws.

Federalist arguments under the rubric of eminent domain turn the original legal precept on its head, since eminent domain has historically been interpreted as a means for subordinating property rights to social interests. In New York in the 1980s, dozens of Times Square movie theaters were evicted under the "eminent domain" principle. The theater owners owners received minimal compensation for the property underneath them, which was then sold for astronomical amounts of money to developers who built the colossal skyscrapers which now domin-

Continued on Page 18

TACTICAL MEDIA

Prying for Profit!

By info.war

Broadband Internet Service Providers and subscribers beware! The FBI is petitioning the Federal Communications Commission (FCC) to extend regulations contained in the Communications Assistance for Law Enforcement Act (CALEA) that mandates telephone companies to provide monitoring and surveillance capabilities of all telephone calls, to broadband ISPs.

Even more ominous than this Bush Administration push for internet regulation is the rush to exploit surveillance mandates commercially by selling internet spying tools and methods to DSL and cable broadband providers in advance of any legislation.

In fact, many former FBI agents and others from within the Intelligence community have retired from "public service" to set up their own businesses providing out-sourced spying services for ISPs to serve Law Enforcement Agencies by providing real-time traffic and content surveillance, for a fee that is ultimately passed on to subscribers.

Such services are meant to "help" businesses who provide internet access to cut costs of complying with "intercept requests" and subpoenas to "wiretap" subscribers, as mandated by the proposed legislation, which is certain to increase the number of requests.

The CALEA, passed in 1994, mandates that communications networks must be built with backdoors for access by law enforcement, as defined by strict federal specifications. If the FBI gets its way, new technologies for carrying voice calls over the internet (known as VOIP for "Voice Over Internet Protocol") and Instant Messaging (IM) must be cleared by the FBI before deployment.

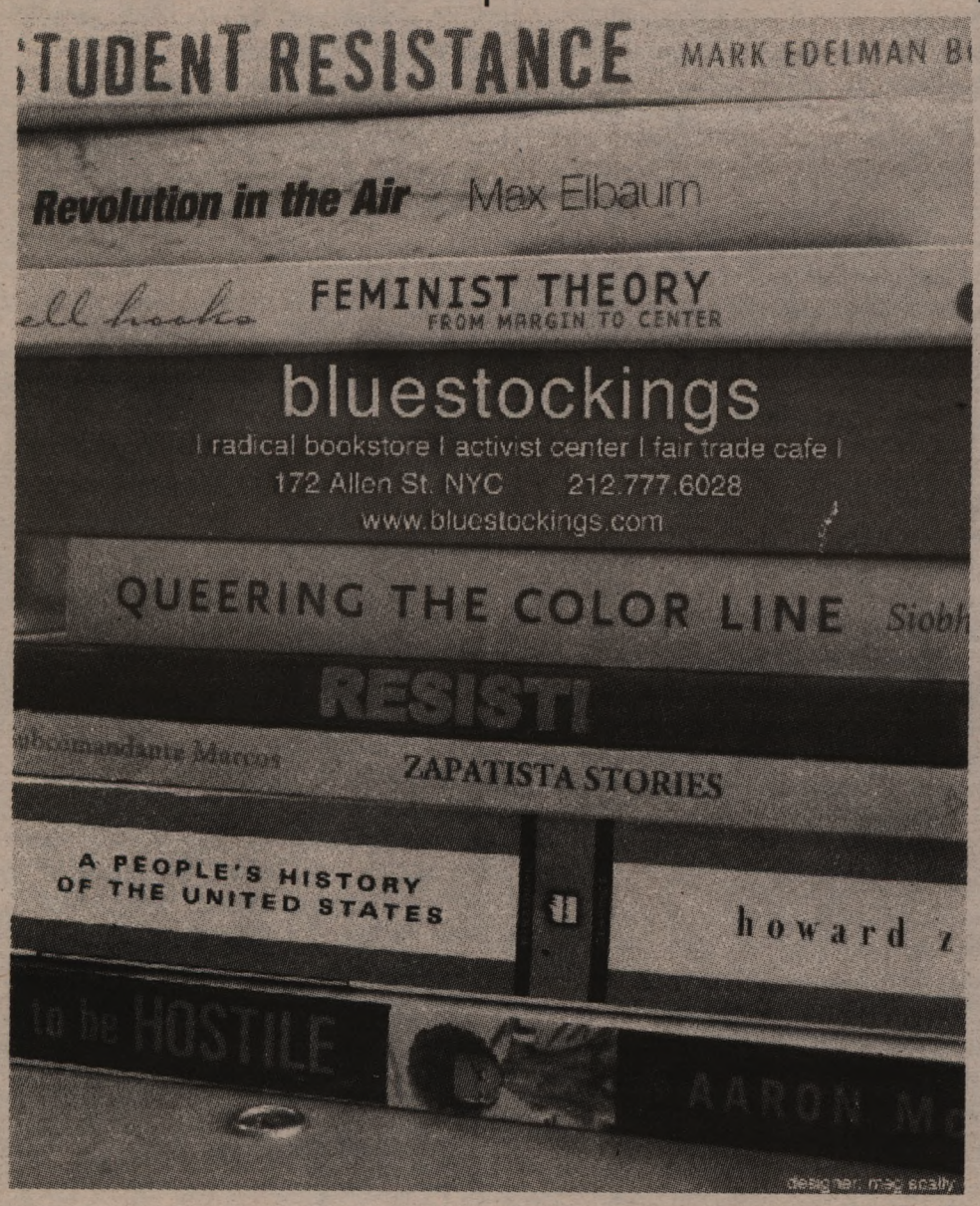
Even though the CALEA-like proposal is far from being approved, companies such as Verisign (who owns the domain name giant Network Solutions, another company with deep "spook" connections as reported in previous issues of the SHADOW) already provide a surveillance outsourcing service called "NetDiscovery," which establishes a real-time "tap" into an ISP's connection, essentially duplicating and capturing all traffic passing through the ISP's network and sending it on to Verisign for storage and analysis.

Other companies, like Cisco Systems, who produce network hardware such as routers and switches, already sell equipment with backdoor tapping capabilities, further advancing the commercial spying industry well in advance of any legislation.

This is particularly dangerous because internet providers, as private companies, can voluntarily turn over traffic and user information without demanding subpoena, court orders or otherwise following due process.

This sort of "pre-emptive compliance" is an outgrowth of the long standing practice of internet providers, especially the larger ones, such as ATT, Verizon, AOL, Time Warner, freely sharing information with law enforcement without demanding nor requiring a Court Order. Smaller, local ISPs, are less likely to use services such as "NetDiscovery," unless and until the law requires it, especially since the cost of compliance increases their operating costs.

If Bush is re-elected and the Patriot Act is renewed, it is likely that those who "pry for profit" will experience a boom in business as every ISP who provides broadband service will be forced to hire these services by law. As long as people subscribe to mainstream service providers and accept that there is no privacy there, they will continue to deny you your rights--and as long as the present regime remains in power, you can expect an even greater erosion of whatever freedoms remain.



BIO-SNOOP....

Saliva testing is believed to be able to detect the breakdown products of tetrahydrocannabinol (THC; the psychoactive substance in marijuana) for 1 to 3 days after consumption, and will therefore also flag drivers who smoked days ago and are no longer impaired in any way. Aside from the immediate traffic safety issues, advocates of a more invasive drug war hope that the prospect of facing a roadside saliva test at random would have the same deterrent effect as random drug testing in the workplace. The freedom issue here is not whether or not it is a good thing to remove impaired drivers from the road, but that the "drugged driver" issue, which is very hot in the drug war bureaucracy these days, will be the pretext for a witch hunt against all casual drug users in this car-dependent nation. Although, for the past several years, the war on "drugged driving" has been a battle cry of Office of National Drug Policy headed by George W. Bush-appointed drug czar John P. Walters, many U.S. States do not have specific laws against driving under the influence of drugs other than alcohol, partially as a result of the unreliability of roadside drug testing through more traditional technologies. However, indications are that as the new methods of drug detection become cheaper, police will soon be asking drivers to place a lollipop-shaped swab inside their mouths and return it for testing via a biosensor-type device.

Large-scale field trials of the OraSure Drugs of Abuse Testing system have already been conducted in Germany, where the saliva of people leaving discotheques has been tested by highway cops for Ecstasy and other drugs. Roadside saliva testing has been widely applied in Britain, but so far only on a limited basis in the U.S. Life Point, Inc. of Ontario, Canada cites the selling points of its IMPACT system as "non-invasive saliva-based collection, which allows testing anywhere, anytime" and "no privacy invasion or adulteration risk, which can occur with urine sample collections." It is interesting that other nations such as the Germany, the U.K., and Canada have moved ahead with roadside saliva testing at a faster pace than the U.S. even though " almost all of the funding of technologies has taken place in the USA where the US Customs, Drugs Enforcement Agency, FBI, Bureau of Alcohol, Tobacco and Firearms (BATF), Office of National Drugs Control Policy (ONDCP) and Department of Defense have all contributed to the development and purchase of these systems" (as reported on the Web site of the Swedish company Biosensor Applications AB; ***http://www.biosensor.se/eng-tekprod_narkotika.html***). There is a possibility that, because the these countries have taken steps in the direction of decriminalizing marijuana use in general, there is less paranoia around testing by the police to curtail drug use at the wheel, since marijuana is being treated the same way as alcohol has been for years: forbidden while driving but otherwise tolerated. British and Austrian authorities have also undertaken studies to determine levels of marijuana metabolites in saliva above which "impairment" is indicated, as for alcohol, a measure which would distinguish the impaired driver from the one who smoked a joint 24 hours ago. These refinements give less of a suggestion that these European nations are planning to use the new technology in a witch hunt against casual marijuana smokers.

The biosensor-based instruments are also touted as being capable of detecting trace amounts of specific illegal drugs or their chemical breakdown products that are left as residues on surfaces in vehicles and dwellings. These instruments as well as others based on older technologies such as gas chromatography are already in used by police departments involved in drug raids, and in schools and prisons. Securetec America of Williamsport, Pa., markets the immunosensor-based Drug Vac and Drug Wipe applications which are specially geared toward marijuana detection. This company warns that detectable residues of marijuana remain on surfaces for only a limited length of time because the compounds are destroyed by oxidation. This would suggest that persons concerned about privacy might want to wipe down certain surfaces in their homes with hydrogen peroxide or chlorine bleach to hasten the oxidation of possible THC residues.

"Surface testing" evokes some of the same legal issues as traditional searching for drugs, however, because a sample must be taken, or the device must be brought, for instance, to the table where it is suspected that lines have been snorted or joints have been rolled. More insidious, perhaps, are the instruments recently installed at a few airports that sample the "thermal plume" of air that moves from top to bottom along the bodies of all living human beings and which contains minute flakes of skin that are being constantly shed, as well as a fine spray of perspiration and other bodily fluids. A fan or blower channels the person's dust and vapors into a concentrator or a particulate separator interfaced with a detection device--in this case an ion mobility detector rather than a biosensor. The samplers presently in use resemble metal detectors, and many people who are subjected to the thermal plume analysis believe they are passing through a metal detector. Although the stated objective of placing these detectors in airports is to detect things like plastic explosives, they are also designed to identify people who have other forms of contraband such as marijuana and cocaine on, or perhaps even within their persons.

It should be noted that none of the surface- and thermal-plume detection instruments have a sensitivity that has been proven to be greater than that of the noses of the contraband-sniffing dogs employed by the government for decades. In fact, it has been the shortage of competent canine snoops that has been pushing much of this research forward. To the credit of man's best friend, only a tiny percentage of the dogs that are trained for the task of drug sniffing turn out to be suited for the ignoble job of invading our privacy.

The purpose of these articles is not to make readers paranoid or to encourage them to modify their behavior, but to initiate thinking about practical measures and legal strategies for protecting privacy and freedom. Some of these snoopomatic devices may turn out to be nothing more than pieces of crap on which the government wastes the taxpayers' money after being sold a bill of goods by the biotech industry. The current generation of biochip sensors often lose their sensitivity after a few samples are tested, and the Keystone Kops who carry them may not be able to use them effectively. It is important, though, to realize that just as the War on Terrorism has been used as a justification for the War on Iraq, it is being similarly warped to advance the lines in the War on Drugs and the war on our privacy.

ADVERTISE IN THE SHADOW!!

MAD COWS AND MAD COWBOYS

Cannibalistic Cattle Barons Feed Dead Cows to Living Cows: Meat Eaters are Reaping the Consequences

By A. Kronstadt

The story of mad cow disease, a.k.a. bovine spongiform encephalopathy, and of Creutzfeldt-Jacob disease, the human form of the same fatal brain disease, which comes from people eating the flesh of infected cattle, is a story of expert lies and miscalculations, cruelty to living things, and good old fashioned capitalist greed. The story is not for the faint-hearted, because it begins with cannibalism.

We all like to think of cattle as being fed grass on a ranch somewhere, either in the form of fresh green grass or yellowish-greenish hay served up in big bales. Grass is, after all, the natural food of cattle, and one would think that ranchers would want to keep their valuable animals healthy by feeding them their natural diet. However, in the giant feedlots of beef country, what one sees are cattle eating a brown, powdery slop poured into troughs from cement-mixer like machines; this is commercial cattle feed made from a mixture of corn and renderings. What are renderings, you may ask? Renderings are a protein- and fat-rich extract from a hodgepodge of animal products that are not considered economically valuable as meat. Renderings are made from items ranging from restaurant scraps and inedible slaughterhouse waste to the flesh of domestic animals that have died from natural causes, and even in some cases road kill collected by convicts while cleaning the highway. This material is thrown into large pressure cookers and subjected to high temperatures, making a dead animal soup which is then concentrated and dried out into the brown powder that is mixed with corn and fed to cattle. The fat and protein in the renderings, far in excess of that provided by the cow's normal diet of grass, fattens the animals more quickly, and the rendering-containing feed is cheaper than grass that requires land on which to grow. Euphemisms used for renderings on the labels of animal feed include "meat by-products," and "meat and bone meal," referring to the slaughterhouse waste that includes the bones of cows, pigs, sheep and poultry.

While the beef industry saves billions of dollars a year by feeding herbivores the rendered flesh of other animals, including that of members of their own species, this is not because this diet improves the health of the cattle. Cows placed on the corn and renderings diet suffer chronic digestive disturbances, resembling human diseases like colitis, that are routinely treated with drugs which end up in the meat. No effort that extends the life of a cow beyond the point at which it is to be slaughtered is considered to be cost-effective by the beef industry.

A related practice, perhaps even less appetizing than the use of renderings, is that of using cow blood drained off the killing floors of slaughterhouses to prepare a kind of baby formula for calves, which is substituted from the mother's milk. The bloodstream has been implicated as one of the routes through which the deformed protein that is the cause of mad cow disease passes through the animal's body. The spinal columns as well as skulls from which the brains have been removed for use as meat, always a major constituent in the rendering pot, are heavily implicated in the transmission of the mutant protein PrPsc, the infectious agent that transmits the deadly bovine spongiform encephalopathy.

Thoughtful people would consider it reprehensible to feed animals the flesh and blood of their own species. Until mad cow disease was linked to the consumption by cattle of rendered animal parts, agricultural scientists shrugged off such common sense thinking as superstitious, sentimental nonsense. Because the rendering process involved heating the mixture of animal products to temperatures well above that at which viruses, bacteria, and even bacterial spores are able to survive, the experts deemed the use of renderings in cattle feed to be unquestionably safe.

It was not until the late 1980s that British researchers noted that bovine spongiform encephalopathy (BSE, or mad cow disease) and Creutzfeldt-Jacob disease (CJD) in humans featured identical patterns of brain deterioration, namely the accumulation of sponge-like, abnormal material in vital areas of the brain. BSE had just been identified in 1985, and was found to show a pathology highly similar to a disease in sheep, called scrapie, that had been first described in England 200 years earlier. As the 1980s drew to a close, British hospital authorities noted a sharp increase in the number of cases of CJD, which up until then had been considered a rare genetically transmitted disease. This spike in CJD coincided with the discovery of mad cow disease.

Since the disease had first appeared many years ago in sheep and then suddenly started affecting cattle and people at around the same time, the question to ask, assuming that an infection was involved, was how did the spongiform encephalopathy spread from sheep to these other species? The key to answering this question turned out to be another human disease with a similarity to CJD called kuru, which was endemic to a few of regions in New Guinea where ritual cannibalism was practiced. Kuru was also characterized by the spongiform degeneration of brain tissue, and a ritual practiced by the tribal people among whom kuru was spreading involved cooking and eating the brains of war captives. Biochemist Stanley Prusiner, who was awarded a Nobel prize in 1997 for deciphering the puzzle, studied both scrapie and kuru and found that injection of totally sterile extracts from the brains of scrapie-infected sheep and kuru-infected humans could transmit the spongiform encephalopathy to mice, chimpanzees, and other lab animals. His conclusion, first published in 1982 before mad cow disease had been identified, was that a mutated protein, rather than a living organism such as a bacterium or virus, was the cause of both scrapie and kuru. Prusiner isolated a protein from the brains of scrapie-infected sheep and called it PrPsc. He found that it was a variant of protein found in the brains of normal sheep, which he referred to as PrP. The only difference between PrP and PrPsc was in the shape of the molecules, but the differently shaped, defective PrPsc protein was apparently able to act as the catalyst in a reaction that caused the naturally occurring PrP in a normal animal to turn into the PrPsc. The result was the deadly spongiform degeneration of the brain. Prusiner coined the name *prion* for this kind of mutant protein. Later Creutzfeldt-Jacob disease became identified as a prion-transmitted illness, and when mad cow disease was discovered, the blame was rapidly placed on a prion.

The kuru-cannibalism connection and the fact that potentially contaminated sheep and cattle remains are part of the renderings that are fed to cattle immediately pointed to renderings as the culprit in the rapid spread of mad cow disease through Britain. The experts had been wrong in thinking that the high temperature at which renderings are processed would kill off all sources of disease--to be sure it killed off viruses and bacteria, but nobody reckoned on an inanimate protein as something that could propagate an infectious illness. It would have been better if people just relied on their common sense revulsion at forcing vegetarian animals to eat not only meat but meat of their own species.

In the European epidemic of mad cow disease that started in Britain and which raged in the 80s and 90s, some 57,000 cases occurred among cattle. The epidemic of Creutzfeld-Jacob disease has so far killed over 140 people. The spread of both illnesses has been slowed down through the slaughter of millions of suspected cattle in Britain and throughout Europe. CJD is characterized by a loss of mental faculties and muscle control leading to coma and death. It is uniformly fatal. In a few cases CJD is believed to have been spread from human to human through organ grafts and possibly blood transfusions, but the vast majority of people infected are believed to have gotten it by consuming infected beef. There is another, much rarer form of CJD which appears spontaneously by means of a genetic mutation that causes the altered protein to appear in the brain, usually in older patients. This form of the illness was identified earlier than the form carried by meat, but the researchers in Britain who discovered the mad cow/CJD connection noticed that CJD cases were occurring not only more often, but in younger individuals. There is some speculation now that many cases that were previously identified as of genetic origin may also have arisen from the consumption of infected meat.

The British government and the European Union took measures starting in the mid-1990s to contain the BSE and CJD epidemics. The most drastic and expensive of these involved the slaughter of millions of cattle suspected of coming into contact with BSE-infected animals. The Europeans also banned the use of all rendered animal parts in animal feed.

In light of the European experience, the U.S. Food and Drug administration adopted some new guidelines on the use of renderings in animal feed during late 1990s. These were minimal in comparison to the European rules, and the main provision required that bags of renderings carry a label reading "Do not feed to cattle or other ruminants." The feeding of renderings to pigs, chickens, and farm-raised fish was not banned. The latter animals, it was argued, had not been shown to be susceptible to prion-transmitted diseases. However, since one theory of how cows ended up with the prion is that it came from the presence of scrapie-infected sheep remains in render-

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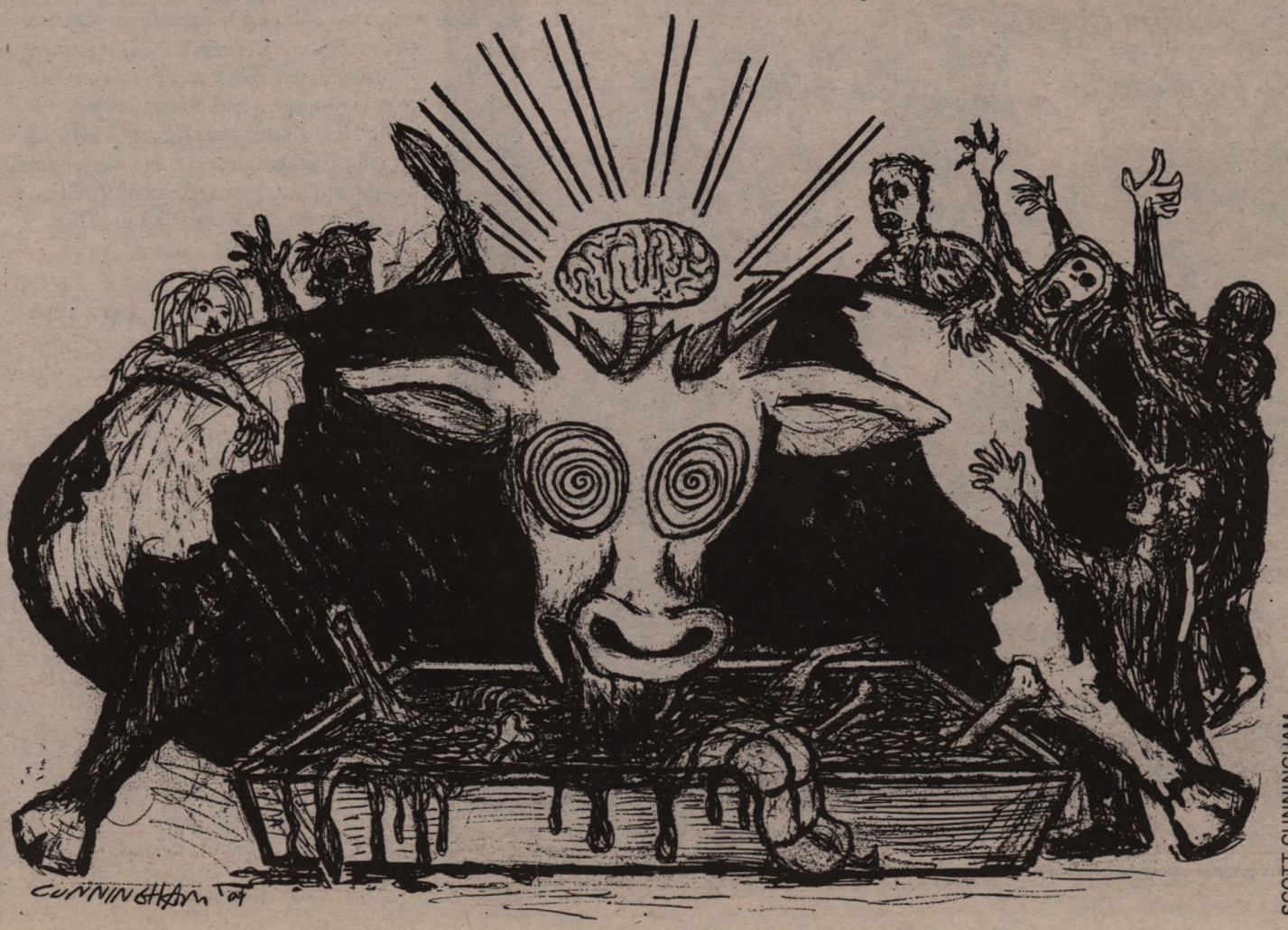

SCOTT CUNNINGHAM

U.S.-SPONSORED REGIME CHANGE IN HAITI

By Nirit Ben-Ari, with Bill Weinberg

In the wee hours of March 1, US Marines landed in Haiti hours after President Jean-Bertrand Aristide reportedly succumbed to demands from an armed opposition movement that he step down and go into exile--although persistent rumors on the ground maintain he was actually arrested by US forces. As rebel troops entered the capital Port-au-Prince, the UN Security Council approved a resolution authorizing a multinational force to restore order, and French troops are also on the way.

The rebel army, hobbled together from anti-government gangs and militias and led by former army officers, has achieved its aim of Aristide's ouster. It seems the cost will be the loss of Haiti's sovereignty to foreign occupation troops--yet again..

CYCLES OF DESTABILIZATION

This overthrow had been in the making since December 1990, when Haiti's first free election was held. The winning candidate, with two-thirds majority, was the populist priest Aristide, backed by a vigorous grassroots movement known as Lavalas. But seven months later, Aristide's government was overthrown in a military coup. No government on earth recognized the military junta, but as Noam Chomsky noted: "Washington maintained close intelligence and military ties with the new rulers while undermining the embargo called by the Organization of American States, even authorizing illegal shipments of oil to the regime and its wealthy supporters."

In July 1993, Aristide was made to sign the Governor's Island Accord, a US-backed "peace accord" with the illegal military junta that terrorized Haiti for three years. The Accord forbade Aristide from running for re-election once he was restored to power, and gave amnesty to the death-squad terrorists of the junta. The junta then refused to abide by the accord, prompting President Clinton to send in troops in September 1994.

Aristide finished his term, although conditions imposed on him as the cost of returning to power--such as an IMF-style " free market" reform of the economy--eroded his popularity. But Aristide continued to stand up to the IMF and international creditors, demanding a better deal that would not impose yet harsher austerity on Haiti, the poorest country in the western hemisphere.

In 1995, Rene Preval, a close friend of Aristide, was elected as president. His government faced serious political deadlock, and in 1999 Preval declared that Parliament's term had expired and began ruling by decree.

The last elections took place in November 2000. Aristide won his second non-consecutive term--amid allegations of irregularities by the US and the opposition. Marc Bazin, a former World Bank official backed by the White House, won only 14% of the votes. To the dismay of Washington, Aristide was president again.

The US and international donors blocked financial aid, maintaining the elections were "flawed." Arisitide, in need of funds to implement his social plans for the country, was immobilized. Only in July 2003, the Inter-American Development Bank resumed loan programs.

At the same time, the arming and funding of Aristide's opposition--including paramilitary leaders who were at the forefront of the terror campaign in the 1991-94 military junta--continued. Ira Kurzban, general counsel to the Haitian government, told Pacifica Radio's Democracy Now Feb. 25 that the US government was directly involved in a new military coup attempt against Aristide--and that the rebels fighting to overthrow his government were backed by Washington. "This is a military operation," he said, "it's not a rag-tag group of liberators, as has often been put in the press." Kurzban denied media reports that the armed groups were using weapons originally distributed by Aristide. Among the weapons used by the paramilitaries are M-16s with armor-piercing ammo and rocket-propelled grenade launchers, he said.

France was the first to call for Aristide's resignation as the rebels seized the northern half of the country in late February. The French hold grudges against Aristide for his demand last April that France pay back the $22 billion (adjusted for inflation and interest) that Haiti had to pay in 1863 for French recognition of the republic, which became independent in 1804--the second in the hemisphere after the US in 1776, and the first independent black republic in the world. Ironically, the new uprising came weeks after Haiti had celebrated the bicentennial of its independence.

DEJA VU ALL OVER AGAIN? US Marines invaded to restore Aristide in 1994. This time to oust him?
ART: Mac McGill, 1991

U.S. STATE DEPARTMENT BEHIND COUP?

In a Feb. 12 letter to Secretary of State Colin Powel, US Rep. Barbara Lee (D-CA) wrote: "Our failure to support the democratic process and help restore order looks like a covert effort to overthrow a government. There is a violent coup d'etat in the making, and it appears that the United States is aiding and abetting the attempt to violently topple the Aristide Government. With all due respect, this looks like 'regime change.' How can we call for democracy in Iraq and not say very clearly that we support democratic elections as the only option in Haiti?"

And US Rep Maxine Waters (D-CA), also in a letter to Powell, said she was "outraged" at the State Department willingness to sabotage democracy and the rule of law in Haiti. "It has been clear to me for some time that the state department has been trying to undermine President Aristide. I am convinced that this effort to force President Aristide out of office by any means is a power-grab by the same forces that staged a coup d'etat and forced him out of office in 1991. The opposition that claims to be peaceful is not peaceful and they are responsible for the violence in Gonaives and other parts of Haiti. Should these actions by Andre Apaid and his Committee of 184, thugs and violent protestors receive support or encouragement from the United States, thereby increasing the risk of a coup d'etat, there may well be a bloodbath on the streets of Haiti." She called the State Department to "discontinue" its actions in support of "violent protesters and thugs" in Haiti.

The New York Times reported Feb. 12 that US officials "hint[ed]" the Bush administration might support replacing Aristide--although he had two years left in office.

WHO IS ANDRE "ANDY" APAID?

The Haitian political opposition--allied with the armed rebels--was led by Andre "Andy" Apaid, also head of Alpha Industries, one of the oldest and largest assembly factories in Haiti. As New York's Haiti Progress reported in November, Apaid's father was a close friend to dictator Jean-Claude "Baby Doc" Duvalier. Apaid was born in New York and claims to be a Haitian citizen, although Haitian law does not allow dual-nationality and he has not renounced his US citizenship. In a recent interview broadcast by the BBC Caribbean Service, Apaid voiced support for rioters in Gonaives who had torched government buildings. He is also known for pulling a gun on demonstrators organized by the Batay Ouvriye trade union who tried to picket in front of his plant. Apaid lead the opposition's "Group of 184," a supposedly broad front of "civil society" organizations modeled on similar anti-government coalitions in Chavez's Venezuela and Allende's Chile.

Reuters reported Feb. 21 that the armed rebel leadership includes Louis Jodel Chamblain, a prominent death-squad leader from the country's 30-year Duvalier dictatorship. In 1993, Chamblain joined with Emmanuel "Toto" Constant--now exiled in New York--to form the Front for the Advancement of Progress of the Haitian People, (FRAPH), which terrorized Haiti following the first coup against Aristide. He recently crossed back into Haiti from exile in the Dominican Republic to lead paramilitary units. Several other exiled figures from the regime that deposed Aristide in 1991 are also among the rebel leadership.

OTTO REICH AND THE CONTRA CONNECTION

Kevin Pina of Berkeley's KPFA Radio, writing for the on-line Black Commentator last April, noted that Otto Reich, President Bush's envoy for Western Hemisphere Initiatives, had arrived in Haiti the same week bombs began falling on Iraq. Reich came as part of a delegation representing the Organization of American States and the Caribbean Community Council with a stated mission of brokering an agreement between the Haitian government and the opposition. His visit coincided with reports from the Haitian police that uniformed soldiers of Haiti's abolished army had begun regular armed incursions into the Central Plateau region of the country from the Dominican Republic.

Otto Reich is a veteran of another US-sponsored armed insurgency against a popular government in a small, impoverished Latin American nation. Reich was the director of the State Department's Office of Public Diplomacy (OPD) for Latin America and the Caribbean from 1983 to 1986--at the height of the Reagan administration's covert wars in Central America. In 1987, he was accused by the Congressional probe into the "Contragate" scandal of engaging in "prohibited, covert propaganda activities" in his efforts to promote the Reagan administration's "contra" guerilla army in Nicaragua. He is today a top ideological and strategic mastermind of the counter-insurgency war in Colombia, and has been named as a behind-the-scenes figure in the failed April 2002 coup against President Hugo Chavez in Venezuela.

POLICE OUT-GUNNED, OUT-NUMBERED

Haitian police--a force of fewer than 5,000 in a country of 8 million--were outnumbered and outgunned in many areas by the rebel forces, and the traditionally conservative army had been abolished by Aristide following his return to power in 1994. In mid-February, as rebels seized Cap-Haitien, the second-largest city, and numerous other town across the country, police stations and government offices were looted and burned.

At least 70 people had been killed in three weeks of internal war as February drew to a close, about 40 of them police officers. "Should those killers come to Port-au-Prince, you may have thousands of people who may be killed," Aristide told the Associated Press. "We need the presence of the international community as soon as possible."

Late on Feb. 29, as government loyalists and opponents of the paramilitary gangs were preparing resistance in Port-au-Prince, the international press reported that Aristide had fled by plane to the Central African Re-

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CIA COMES HOME TO ROOST....

of Deputy Commissioner of Intelligence. Cohen, a 35 year CIA veteran, former NYC/CIA station chief, was at one time (1995-97) head of the CIA's Directorate of Operations (the covert action faction). According to the Mayor's press release (1/24/02), "David has a reputation for forging ties and working effectively with other government agencies." In fact, Cohen has a reputation for falsifying reports for political reasons, ie. cooking the books and making shit up.

According to Ralph McGehee's web site CIABASE, Cohen began his CIA career in the East Asia division where he was in part responsible for the disastrous estimates of enemy strength in Vietnam. His most noted role as analyst was as senior intelligence directorate manager and purveyor of the April 1985 CIA assessment supporting KGB involvement in Ali Agca's 1981 attempt on the life of Pope Jean Paul II. The report was "ordered" by then CIA Director William Casey and was so biased that the CIA itself criticized it in a Senate report later that year. The CIA-sponsored Cowey Report noted that in their view Cohen's "paper was deliberately skewed to make the case for Soviet complicity look more solid than it is." (Washington Post 10/4/91) Deliberately skewing intelligence in order to enact policy sounds familiar, doesn't it? According to ex-CIA McGehee, Cohen "practices management by fear," is fond of "dirty tricks," and "gained some espionage experience running the CIA's domestic collection operations."

Following his assignment, er, appointment to the NYPD, Cohen got right to work going after terrorists that look to most people like protesters and domestic activists. Cohen led the charge against the Handschu Agreement, a 1985 consent decree based on a 1971 class action suit brought by a diverse group of activists (one named Handschu) who accused the NYPD's "Red Squad" of harassing and punishing lawful dissent. Cohen filed papers with the federal courts in order to overturn the agreement, which had restricted the ability of the local NYPD to spy on political activists. The agreement barred police from opening files on activists, planting undercover agents at meetings, photographing and/or videotaping protesters, and reviewing organizations membership lists, without any indication of a crime having been committed.

Someone should tell Cohen that Operation Chaos was outlawed back in the mid-seventies, following the Senate's Church Committee exposure of the CIA's 15 year domestic surveillance program (1959-1974). Initiated by the executive branch and executed by the spooks, "Chaos" was the largest and most pervasive domestic surveillance program in the history of this country. It targeted dissent, the peace movement, racial justice and youth movements, women's movements and the counter-culture. "In the process," according to the Senate Committee's final report entitled CIA Intelligence Collection About Americans, "the CHAOS project amassed thousands of files on Americans, indexed hundreds of thousands of Americans into its computer records, and disseminated thousands of reports about Americans to the FBI and other governmental agencies."

Apparently, the current czar of Intelligence at One Police Plaza believes in Chaos, that one's politics should be the object of his attention, and dissent a target. In fact, during court proceedings initiated early in 2003 by the NYPD to determine if the agreement should be scrapped, Cohen stated that "the entire resources of the NYPD must be made available to conduct investigations into political activity and intelligence-related issues" and that "the counterproductive restrictions imposed on the NYPD by the Handschu Guidelines in this changed world hamper our efforts every day." (Village Voice, 12/18-24/02) As a result, the restriction on local police spying was gutted, and clandestine "monitoring" of legally-sanctioned dissent is no longer limited to the NYPD's Public Security Section of the Intelligence Division, but can be undertaken by the entire force.

If the Campaign and the public it represents is not successful and HR 3439 becomes law, Cohen will feel right at home, with 37,500 potential spy-trainees at his disposal. As Kate Martin, Director of the Center for National Security Studies said recently, "federal efforts were limited before, because of local police limitations. Now, the foot soldiers are going to be the local police."

Incidentally, for the past year, in the "changed world" of Mr. Cohen, activists have been confronted by yet another attempt at suppressing dissent. Following the massive anti-war rally on February 15, 2003, those who were arrested for not exercising their free speech rights inside a metal "pen" were given the third degree about their politics, grilled on their group membership, their views on the Middle East, and even their whereabouts on September 11, 2001! Their answers were entered into a computer data-base of the NY/NJ HIDTA Regional Intelligence Center (RIC), accessible to some 600 different law enforcement agencies. A form which was used by police officers during the questioning was entitled, "Criminal Intelligence Section Demonstration Debriefing Form," bore the stamp of the NYPD's Intelligence Division, Mr. Cohen's crew.

Upon public disclosure, Cohen had the good sense to suggest that he was unaware the forms were being used. Believe a spy? Sadly, it appears that monitoring, chilling and suppressing "criminal demonstrations" is also part of Mr. Cohen's "changed world."

SPOOK IN THE OVAL OFFICE

The final version of the Bush Administration's anti-terrorism legislation, HR 3162, The Uniting and Strengthening America By Providing Appropriate Tools Required To Intercept and Obstruct Terrorism, better known as the horrific Patriot Act, sought to put the CIA back in the business of spying on the public. It allowed for a vast array of information gathering on US citizens without a court order.

In fact, according to the ACLU, "this new authority supercedes existing guidelines issued to protect Americans from unwarranted surveillance by US agencies, such as the FBI." Meanwhile, 'the Company' is, according to an AP report (10/23/02) "increasing its presence at FBI field offices by assigning intelligence officers to domestic anti-terrorism teams" with the aim of having "at least one CIA officer at each of the 56 FBI field offices in the United States," serving "as conduits of information" within the JTTF structure mentioned earlier. Ostensibly, as "conduits," the CIA agents will collect information of "potential terrorist threats" from local cops thereby transforming local police departments into spies for the CIA.

Last year, the Bush Administration tried to give the CIA, along with the Pentagon, even more far reaching powers to demand personal and financial records on you and me. According to the New York Times (2/5/03), the proposal "would give the CIA and the military the authority to issue administrative subpoenas--known as 'national security letters'--requiring internet providers, credit card companies, libraries and a variety of other groups to produce such things as phone records, bank transactions, and e-mail logs." And ominously, "the subpoenas do not require court approval."

The President and the CIA each denied having offered up the proposal for the 'national security letters'. Democrats and civil liberties advocates were successful in beating the Bush proposal back (for now), arguing that "while the FBI is subject to guidelines controlling what agents are allowed to do in the course of an investigation, the CIA and the military would appear to have much freer reign to conduct intelligence operations in the United States and demand access to personal records." 'Freer reign,' given that "the proposal," according to the Times report, "could give the CIA and the military the power to gather such material without ever being subject to judicial oversight."

The push to give the CIA legal authority to conduct domestic operations is running parallel with a similar trend regarding the military. For example, Bush Administration lawyers are "reviewing" the Posse Comitatus Act, an 1878 statute which forbids the military from enforcing domestic laws, with an evil eye towards its repeal.

The Pentagon's Center for Law and Military Operations is promoting its recently-published Domestic Operations Manual, which details "tactics, techniques and procedures" for "civil disturbance suppression," while the unprecedented setting up of a two year old domestic military "Northern Command," whose primary mission is to "assist law enforcement," proceeds without a hitch.

Add in militarizing local police via "technology transfer amendments" between the Department of Justice and the Department of Defense, and the small arms boom in the so called "non-lethal" weapons area (for use against civilians and non-combatants) and you have the ingredients of a militarized police state, a modern techno-fascism.

AMERICAN GESTAPO

If you were to set up a well-financed secret police, you might want to place some restraints on their ability to spy on you. And so it was with the creation of the Central Intelligence Agency (CIA). Accordingly, the 1947 National Security Act, which established the CIA as a civilian intelligence gathering agency, stipulated in Section 403 (d) (3), that "the Agency shall have no police, subpoena, law enforcement powers or internal security functions." That's clear.

The idea was to keep a deadly, well-financed clandestine spy apparatus at arms length, over there. Sure, go ahead and operate as hired killers for transnational business interests, topple governments and carry out assassinations to make the world safe for democracy, but please stay out of America.

Now, the problem was that neither the notion of "internal security functions" nor " law enforcement powers" were defined in the statute. Nor was the scope of "internal security" directly discussed within the legislative history of the Act. Nonetheless, a deep concern shared by many of those who testified during Congressional hearings on the NSA legislation was expressed by General Hoyt S. Vandenberg during Armed Services Committee Hearings. He stated that the 1947 Act "includes an express provision that no police, law enforcement, or internal security functions shall be exercised."

These provisions are vital, he said, for they "will assure that the Central Intelligence Group can never become a Gestapo or security police."

NYPD ATTACKS PEACEFUL GATHERING AT BROOKLYN COMMUNITY SPACE

Eight People Arrested at Benefit for Activist People of Color

In the early morning hours of November 16, the police engaged in an attack on a benefit party hosted at the Critical Resistance space in Brooklyn, New York for the first Anarchist People of Color (APOC) conference.

Up to 100 people attending the fundraiser were indiscriminately sprayed with chemical agents, beaten with nightsticks, and harassed by a throng of police officers. Witnesses say there was no cause for the assaults and the subsequent arrests following the melee.

Approximately 21 marked police vehicles arrived at The Critical Resistance office 968 Atlantic Avenue at approximately 2:00 am, allegedly to investigate an officer's report of someone standing outside the party allegedly holding an "open container." Within minutes, the police unleashed their wave of violence onto the crowd, provoking onlookers and beating down attendees who were not resisting their orders. Over 20 people were experiencing effects of the pepper spray that was erratically sprayed into the air by the officers. The officers were also attempting to take the event sign-in sheet cntaining names and information on those attending the benefit..

Police refused to produce proper identification. At least one camera used to record the incident was confiscated and/or destroyed. People suffered various injuries, from transgender harassment to blunt trauma, lacerations, contusions and lower back spasms. One person was treated for a hematoma on his right frontal skull.

Eight people were arrested on charges in cluding inciting a riot, obstruction of governmental administration, resisting arrest, and disorderly conduct. All were released on their own recognizance during the next day. Arrestees were given a return court date of December 18, 2003, at which more than one hundred people turned out to show their solidarity with those arrested.

Tenants of the private residential building at 968 Atlantic Avenue present at the event did not request police assistance, and no one in the building made a complaint with the police precinct or the emergency response system. Witnesses report that no warrant was presented upon police entrance. Organizers responded peacefully to police threats and physical provocation, and cooperated with police.

Critical Resistance is a national grassroots group that focuses on prisons and police brutality, and challenges the belief that policing, surveillance, imprisonment, and similar forms of control make our communities safer.

[Witnesses to the November 16 police raid are requested to contact the Critical Resistance office at: 718-398-2825. For more updates, or if you would like to help organize support, check out the Critical Resistance website: (www.critical resistance.org)]

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MAD COWS....

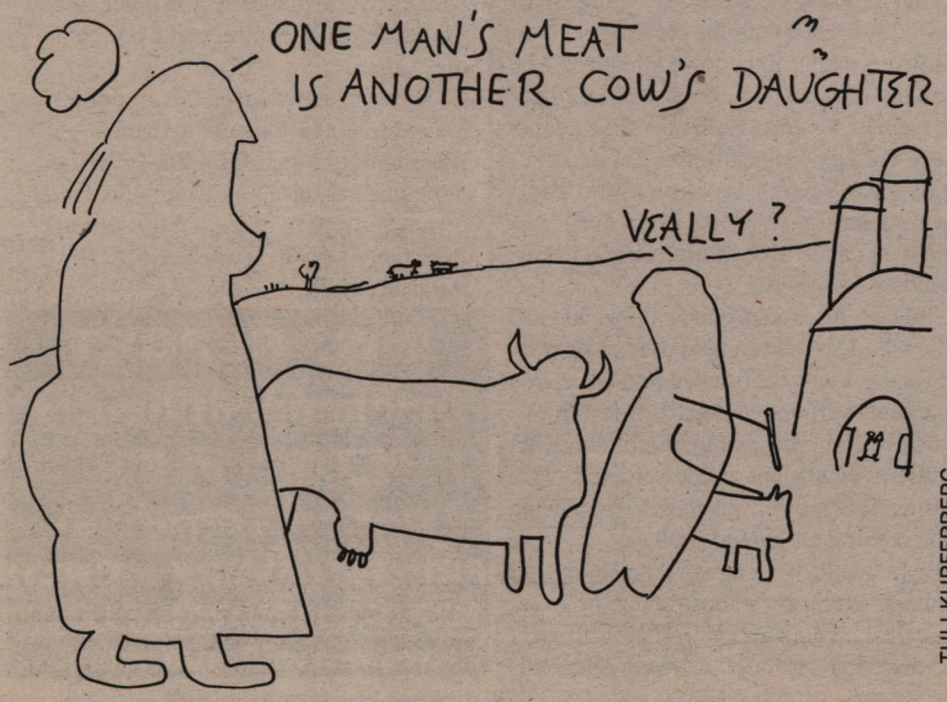
ings fed to cows, one has to admit the possibility that in time the infection will spread to other species. Pigs have been found to be susceptible to the prion when injected in a laboratory setting. Forms of spongiform encephalopathy have been identified in deer and elk, and also in captive wild cats; a puma and cheetah at the Paris zoo became infected with feline spongiform encephalopathy after being fed a diet of whole cattle carcasses. Prions have been identified that affect animals as far down on the evolutionary scale as frogs, so there is no assurance of any fixed species barriers even though certain species seem to have been spared up to this point. Pet owners should keep in mind that there are no prohibitions on the use of renderings in commercial pet foods, and some brands contain large percentages of it which appear on the label merely as "beef byproducts."

The use of brain, spinal cords, and intestines of cattle in human food was not curtailed until after the first U.S. case of mad cow disease was discovered in Yakima County, Washington State in December of 2003. Even now, with mad cow disease present on the North American continent, the FDA has only prohibited the sale of such organ meats from cows over 30 months of age, on the assumption that the prion takes time to incubate and that it is safe to eat flesh from younger cattle, even those fed baby formula made from slaughterhouse blood. But the same British studies which suggested that the brain and spinal cord do not become infected until 30 months also showed the possibility that the tonsils and portions of the small intestine in calves as young as 10 months can carry the prion. People concerned about their health should remember that common meats such as hamburger and frankfurter are made by mechanically sucking the last traces of meat off of the skeletons of butchered cows, including the vertebral columns and skulls, and that these items always contain traces of the brain and central nervous system where the prion which transmits mad cow disease is concentrated.

Since the first case of mad cow disease in the United States was confirmed in December of last year, a tug of war has been going on between the beef industry, and scientists who understand the danger of feeding rendered animal parts to cattle. In January of 2004, a month after the discovery of a BSE infected cow at a slaughterhouse in Washington State, the U.S. Food and Drug administration issued new rules banning the feeding of bovine blood to calves and the feeding of restaurant scraps and chicken waste to cattle. However, the practice of feeding cattle remains to hogs and chickens has not been banned. It has been illegal in the U.S. since 1997 to feed renderings that contain cattle remains to other cattle, but inspections by the Colorado Department of Agriculture revealed that 27 out of 100 manufacturers of livestock feed in that state failed to include the mandatory "do not feed to cattle..." warning. Fifteen citations for such violations were also issued between 1997 and the end of 2003 in Washington State, where the first mad cow case in the U.S. was discovered,

Even the need for more extensive testing before meat is placed on the market has met with resistance, since it will inevitably increase the cost of producing beef. The U.S. Department of Agriculture's guidelines, which fall far short of the standards of the World Health Organization, call for testing only of "downer" animals, namely those which cannot walk into the slaughterhouse under their own power, along with a random sampling of other cattle. At the time that the mad cow prion was detected in the brain of an animal slaughtered in Moses Lake, Washington, on Dec. 9, 2003, U.S. Department of Agriculture officials announced the infected cow was a "downer"cow chosen for testing because it was obviously ill at the time it was slaughtered. However, the owner of the small slaughterhouse where the cow had been killed has repeatedly told the press that the cow did not appear ill and had been tested for BSE as part of a USDA random testing program. The USDA has thus left itself open to the suspicion that it manipulated information indicating the need to test every slaughtered animal for BSE, which would be the logical conclusion if the mad-cow infected animal had shown no external signs of illness (see *http://www.organicconsumers.org/madcow/downer21904.cfm* for more information). Japan and the European Union now require testing of every single slaughtered animal for BSE. The U.S. policy of testing only downer animals has been rendered irrelevant by regulations adopted after the discovery of the BSE infected cow in Washington removing all downer cows from the meat supply. At present, the USDA conducts only random testing of cattle for BSE, at a rate of about 20,000 animals a year. The refusal of U.S. authorities to require testing of all cattle for BSE before their meat is placed on the market has badly affected U.S. meat exports. Japan has banned imports of U.S. beef and is planning to incinerate 10 billion yen worth of meat that is presently stranded in warehouses. Japanese health authorities cite lax U.S. testing policies as the reason that American beef has been quarantined, and a total of fifty nations have imposed restrictions of one sort or another on the importation of beef from the U.S. On March 15, 2004, U.S. Secretary of Agriculture Ann Veneman announced that BSE testing of slaughterhouse cattle would be expanded to a total of 221,000 cattle in fiscal year 2005, a ten-fold increase over the 20, 543 tested in fiscal year 2004. However, 201,000 of the additional animals to be tested would be "downer" animals, showing overt symptoms of neurological impairment, and the remaining 20,000 tests would be reserved for older animals known to have consumed feed prior to the 1997 tightening of restrictions on the use of renderings. International experts on BSE have already pointed out that the focus of the new testing program is based on the same shaky assumptions mentioned above, i.e., that only symptomatic animals and older cattle pose a threat, and that the 70 million dollar testing program will do little to allay the fears of potential customers in nations that import U.S. beef.

It is clear that U.S. consumers cannot rely upon the government to protect themselves from Cruetzfeld-Jakob syndrome and that we will have to made the right decisions on our own to avoid eating things that contain the mad cow prion. The most certain way is to give up meat altogether. Along with the cholesterol problem, steroid and antibiotic contamination, and deforestration of our continent by cattle ranchers, mad cow disease is but one more in a long string of arguments against eating the flesh of our fellow members of the universe.



TULI KUPFERBERG

HAITI COUP....

public, announcing that he would seek asylum in South Africa. Days later, he told reporters he had been forced to flee Haiti at gunpoint by US troops. "It was a real coup d'etat," he told CNN. The US denies the charge, while admitting it supplied the plane that flew him from the country.

Supreme Court Justice Boniface Alexander, next in line under Haiti's constitution, has claimed the presidency--despite the fact that he has not been approved by parliament, as mandated by the constitution.

Guy Philippe, a former police chief who has emerged as public voice of the armed rebellion, told CNN he would welcome foreign troops. Philippe, who fled into exile in 2000 after being charged in a coup plot, insists he has no desire to rule Haiti, but does seek to restore the military, which Aristide disbanded.

HAITIAN REFUGESS DENIED ENTRY

On Feb. 25, the Dominican Republic repatriated to Haiti 37 police and local officials who had fled the country, while Dominican leaders worry that the conflict--or a flood of refugees--could spill over the border. The UK Guardian reported Feb. 26 that the number of Haitians fleeing the deadly uprising in their homeland has escalated, with the US Coast Guard saying it has intercepted 546 people at sea over three to four days. US officials, however, denied the seriousness of the increase, saying it "doesn't signal a mass exodus." For years, Haitian refugees detained by the Immigration and Naturalization Service (INS, now reorganized under the Homeland Security Department) have been forcibly repatriated upon landing at US shores-- unlike Cuban refugees, who are granted political asylum automatically upon arrival.

Given the violence and intimidation prevailing in Haiti, the new Haitian boat people are clearly war refugees and not economic migrants, as Washington has traditionally claimed.

Federalists....

ate the area. City lawyers argued during a series of court challenges that the city's interest in combating sleaze and urban blight trumped the property right of the theater owners. The fact that right-wing judges are now using the same legal doctrine to achieve the opposite goals, i.e., compensation for the aggrieved property owner, bolsters Garbus' argument that the nature of justice in America is essentially political.

Garbus emphasizes that the activities of ultraconservative interest groups like the Federalist Society on American law will bring about radical changes in American life if they are not countered. He makes ominous predictions about what the future will be like if Bush and company retain control of the White House. In his own words:

"The U.S. Supreme Court has been stable since Breyer's appointment in 1994--that's nine years. That's the longest period of stability in the history of the United States Supreme Court. Generally what happens is that the president has two or three appointments during an 8-year stretch. That means that if Bush is elected for another four years, he will probably have two or three appointees. Rehnquist is certainly going to step down. John Paul Stevens, who has been on the liberal side on many issues, is 81. He's going to step down. And Sandra O'Connor is about to step down. The result, if we get the kinds of judges that they want, such as the Thomases, is that you are going to see so much of American law eroded."

The Federalist Society is a highly ideological organization that even gets into the realm of philosophy, with pundits such as Kenneth Starr, in his book *First Among Equals*, espousing Plato's view of a hierarchical meritocracy with the "best"--meaning the richest--giving the orders. This is a far cry from the old fashioned yahoo conservatism which wants to get the government off people's backs. Starr's arguments revolve around the idea that America has too much democracy, allowing "interest groups," meaning anybody other than wealthy Caucasian males, to hold back the nation's manifest destiny.

Indeed, the name Federalist comes from *The Federalist Papers*, a series of conservative treatises issued at the dawn of the nineteenth century by Alexander Hamilton and James Madison, who advocated an authoritarian government where the president is an elected autocrat, with voting restricted to land owners and supremacy for people of Anglo-Saxon descent.

Martin Garbus points out the fact that politically progressive legal thinkers are lagging far behind the right-wingers in forming their ideological pole and fighting for the things they want. There is also an apathy on the part of the public in the face of complex legal issues. But he makes it clear to all of us that if we do not get rid of Bush, there will soon be little left of the U.S. Constitution and the American populace will be abjectly disempowered.

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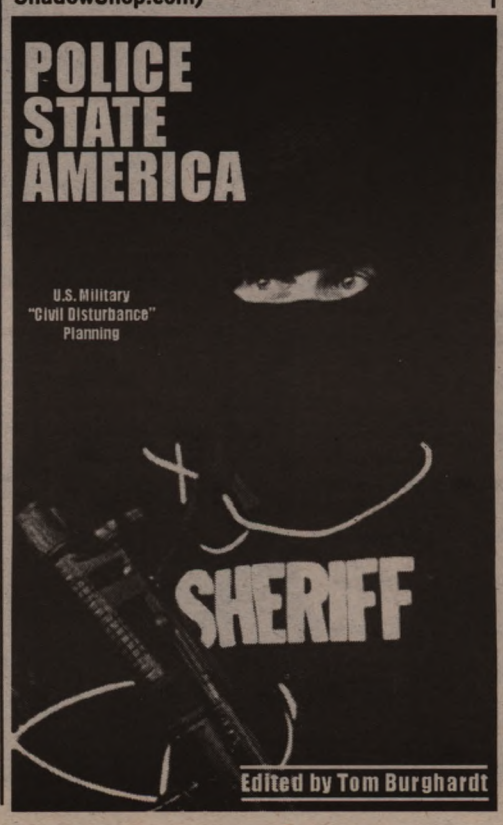

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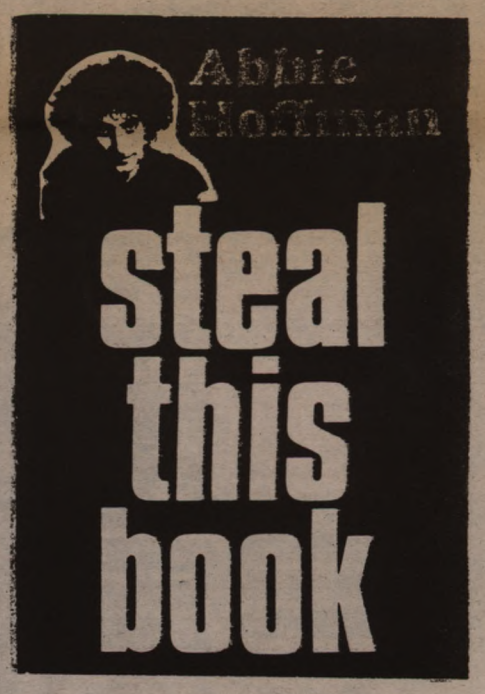

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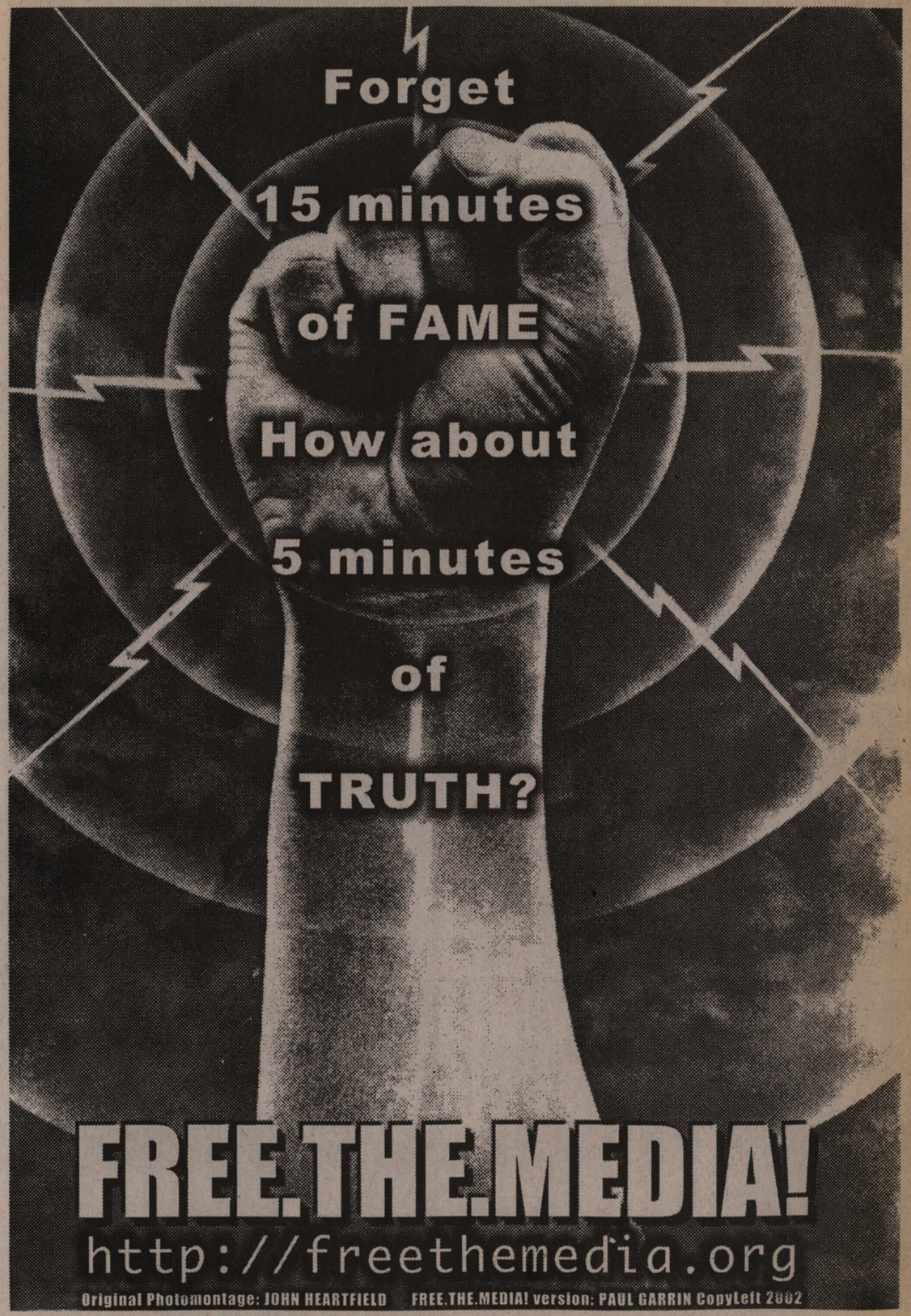

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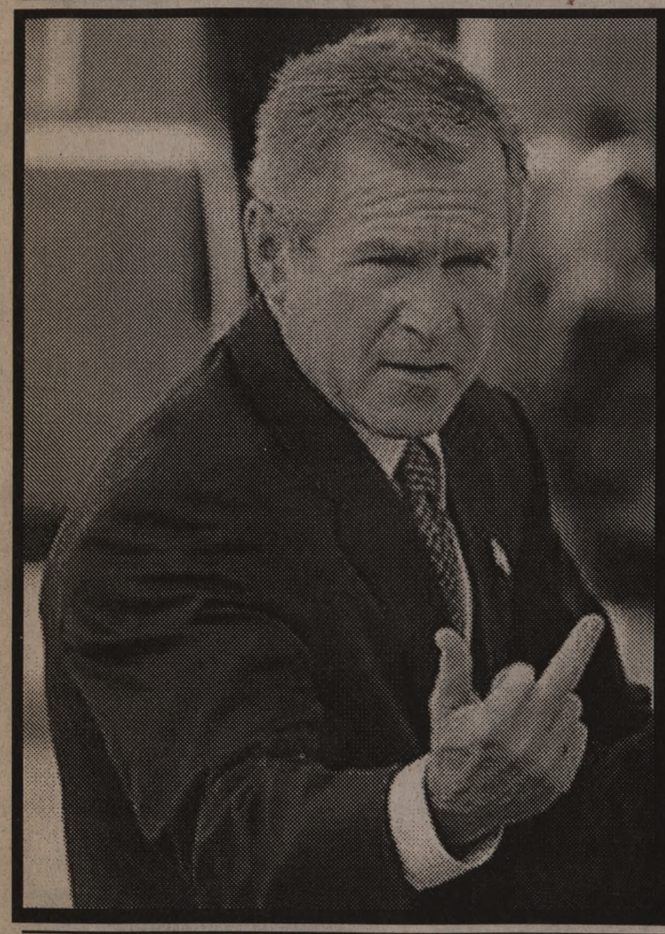

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